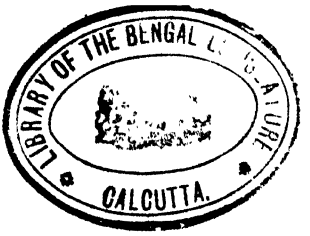
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Second Session—1-13.

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Official Report

Bengal Legislative Council Debates

Volume I

15th, 17th, 18th, 24th, 25th, 29th & 30th September, 1st, 2nd, 6th, & 7th October & 2nd & 3rd November, 1942.

Superintendent, Government Printing
Bengal Government Press, Alipore, Bengal
1943

BENGAL LEGISLATIVE COUNCIL DEBATES

No. 1 of Second Session—1942.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 15th September, 1942, at 2-15 p.m., being the first day of the Second Session of 1942, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Mr. Satyendra Chandra Mitra) was in the Chair.

Obituary References.

Mr. PRESIDENT: Honourable members of the Council: It is with the deepest sorrow that the Chair has to perform the melancholy duty of conveying the news of the death of His Royal Highness the Duke of Kent, which took place on August 27th last in a flying-boat accident. The Duke is the first member of the Royal House of Windsor to lose his life fighting for his country. The present war has left very few families unscathed and the fact that it has now claimed its toll even from the Royal family is only one more reminder of its ruthless and devastating character, Nevertheless, this tragic incident will for ever bear an eloquent testimony to the gallantry and spirit of service on the part of His Royal Highness who, since the outbreak of the war, had carried out with ardour and efficiency the most onerous official duties, regardless of grave risks to his life.

As the Rear-Admiral in the Royal Navy, as Major-General in the Army and as Air-Commodore in the Royal Air Force, His Royal Highness played no inconsiderable part with a view to ensuring victory for the Allied cause, and it is unfortunate indeed that it should be deprived of his brilliant services at a time when they were needed most.

The Chair feels sure that it voices the unanimous desire of the House in proposing that a message of respectful sympathy and condolence be forwarded to His Majesty the King-Emperor and Her Royal Highness the Duchess of Kent in their sad bereavement.

As a mark of respect to the memory of His Royal Highness the Duke of Kent, the Chair would request the honouable members to rise in their places.

(After the members rose.)

Thank you, gentlemen, the message of condolence will be forwarded in due course.

Mr. PRESIDENT: Order, order. Since the House met last, the province of Bengal has sustained a great loss by death of several persons who were prominent in the different spheres of her public life.

Maharaja Bahadur Sir Prodyot Coomar Tagore, K.C.I.E., a premier nobleman of Bengal, expired at Benares on the 27th August last after a brief illness. The Maharaja used to take an active interest in public affairs and was connected with numerous public institutions in Calcutta. He was Honorary Secretary of the British Indian Association from 1899 to 1912 and President of that body from 1919 to 1922. He was the Sheriff of Calcutta for two consecutive years, 1908 and 1909. He was also a Fellow of the Royal Asiatic Society of Bengal and a Trustee and Chairman of the Indian Museum for many years. He was a Commissioner of the Calcutta Corporation for six years and also a Member of the Imperial Legislative Council for some time. He founded the Academy of Fine Arts of which he continued to be the President till his death.

The Maharaja Bahadur was well-known for his old-world courtesy and liberality. Non-communal in his political and social views, he was immensely popular with all sections of the people in this province and outside.

Sir Nalini Ranjan Chatterjee breathed his last at the ripe old age of 79 in the first week of September, in his village home in the district of Burdwan. Since his retirement from the Bench in November, 1926, after he had twice officiated as the Chief Justice of the Calcutta High Court, Sir Nalini Ranjan lived a quiet life away from the public gaze, combining plain living with a high-thinking. His services were, however, requisitioned only about a year back for acting as Arbitrator in the complicated dispute between the Madras and Travancore Governments over the usage of certain waters.

Sir Nalini Ranjan was distinguished alike for his judicial work and sterling personal qualities. He was upright, conscientious, patient and modest both on the Bench and in his private life. It has been said of him that even an unsuccessful litigant did not go away from his Court with the feeling that justice had not been done.

As a private citizen, he was an old type intellectual Hindu whose activities were unified by the golden chord of high purpose which expressed itself in devotion to God and in the service of his fellow-men. The loss which Bengal has sustained by the death of this illustrious personality is almost irreparable.

Lieutenant-Colonel Sir Henry Gidney, President of the All-India Anglo-Indian and Domiciled European Association, died suddenly in New Delhi while attending a meeting of the National Defence Council. Sir Henry had attained considerable eminence as a member of the medical profession. But the most outstanding achievement of his public life consisted in the organisation and development of the Anglo-Indian and Domiciled European Association.

Sir Henry entered the Indian Medical Service in 1898 and served in the China Expedition in 1900. He also saw active service in the last Great War. He was the representative of the Anglo-Indian Community on the three Round Table Conferences held in London, prior to the Constitution Act of 1935. He also served as a Member of the Joint Parliamentary Committee in 1933. As the accredited leader of the Anglo-Indian Community, he enjoyed uninterrupted membership of the Central Legislative Assembly which commenced since the inauguration of the Montford Reforms and continued till his death. In his death the Anglo-Indian Community has been deprived of the services of a capable leader and a towering personality.

The Chair would again ask the honourable members to rise in their seats as a mark of respect to the memory of the deceased.

(After the honourable members rose.)

The sincere condolences of the House will be duly conveyed to the members of the bereaved families.

QUESTIONS AND ANSWERS

Questions with answers which remained unanswered during the Third (December) Session, 1941.

European wards of the Calcutta Medical College Hospitals.

63. Mr. KHORSHED ALAM CHOWDHURY: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) if there are European male and female wards in the Calcutta Medical College Hospitals;

(*b*) if so, what are the conditions entitling a patient for admission into those wards;

(*c*) whether the practice of admitting Hindus and Muslims of high social status in the European wards in the hospitals is in vogue for a long time;

(*d*) whether non-Bengali with different mother tongues from different parts of the world, even Chinese, are admitted in these wards;

(*e*) whether patients of those wards were formerly supplied with uniform standard of food, irrespective of caste or nationality;

(*f*) if the answer to part (*e*) be in the affirmative, whether Bengali Hindu and Muslim patients of those wards have been deprived of this privilege from the 1st October, 1941; if so, why and under whose authority;

(*g*) whether numerous complaints have been made by the Indian patients of those wards to the authorities and to the Government to remove the distinction; if so, what action has been taken by the Government;

(*h*) whether the Government are aware that any patient bearing Christian name gets a better quality of food than any Bengali or Urdu speaking Hindu or Muslim patient;

(*i*) whether it is a fact that a Bengali speaking Hindu or Muslim patient is deprived of this privilege only on account of ignorance of English language; and

(*j*) if the answers to parts (*h*) and (*i*) be in the affirmative, what are the reasons for this distinction on the basis of language?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) Yes; but the wards are not reserved exclusively for the European patients. Better class Indians are also admitted into these wards with Chinese and all other races.

(*b*) There are no conditions for admission into those wards except what is mentioned above.

(*c*) Yes.

(*d*) The principle is explained in (*a*) above. Serious cases coming in for admission are, however, admitted wherever there is a bed vacant, irrespective of race, etc.

(*e*) and (*f*) The general rule is that the Indian patients get Indian diet and the European patients get European diet. As a matter of practice, however, the rule was not rigidly enforced and the Indians in the European

ward were given the privilege of European diet. Owing to the increase in the price of foodstuffs this privilege has had to be withdrawn with effect from the 1st October, 1941.

(*g*) No complaint has been received by the Government. However, it is reported that when the privilege was withdrawn as stated above, some higher class Indian patients objected; but under the arrangement which came into force in October, 1941, Indian diet has been made better than it was before.

(*h*) This is not a fact. An Indian in the open ward gets Indian diet and a European, Anglo-Indian, Chinese, Javanese, etc., get European diet, no matter what his name might be.

(*i*) No.

(*j*) Does not arise.

Mr. HUMAYUN KABIR: Arising out of the answer to (*a*), will the Hon'ble Minister be pleased to state if the question of social status is taken into consideration in the case of any other patients except the Indians?

The Hon'ble Mr. SANTOSH KUMAR BASU: I shall look into that.

Primary Education.

64. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state in how many districts of Bengal school boards have been established under the provisions of Primary Education Act of 1930 and in how many districts the education cess has been imposed under this Act? What are the names of these districts?

(*b*) How many free schools in each of these districts have been established up to March, 1940?

(*c*) What are the amounts realised in each of these districts by way of education cess in 1940?

(*d*) What are the sums contributed to each of these districts from the provincial revenues in 1940?

(*e*) Is it a fact that a large number of existing primary schools has been abolished in Chittagong? If so, what is their number and why have they been abolished?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur M. Abdul Karim): (*a*) to (*d*) A statement is laid on the Table.

(*e*) Yes, primary schools numbering 1,083 have been abolished.

In terms of Government resolution No. 1037Edn., dated the 9th March, 1937, and the statutory rules under the provision of the Bengal (Rural) Primary Education Act, 1930, the District School Board had to redistribute the primary schools maintained by it, in such a way that, subject to local adjustments and special considerations, particularly in areas with special geographical features, each primary school maintained by the Board might serve an area of 3·14 square miles (a circle of 1 mile radius) or alternatively a population of 2,000 persons. Accordingly, some of the existing schools had to be abolished or amalgamated with others for more economical and more efficient administration.

Statement referred to in the reply to question No. 65.

Serial No.	Names of districts in which District School Boards have been established.	Whether education cess imposed or not.	Number of free schools established up to March, 1940.	Amount of education cess realised in 1940-41.	Amount contributed from provincial revenues in 1940-41.
				Rs. a. p.	Rs.
1	24-Parganas ..	Cess imposed ..	Nil	5,16,151 1 5	94,531
2	Nadia ..	Do. ..	1	5,662 5 6	63,490
3	Murshidabad ..	Do. ..	Nil	5,516 0 0	52,052
4	Howrah ..	Cess imposed but collection suspended.	Nil	Nil	71,841
5	Birbhum ..	Cess not imposed ..	Nil	Nil	65,962
6	Bogra ..	Cess imposed ..	Nil	24,006 9 2	62,395
7	Pabna ..	Do. ..	Nil	10,097 14 2	58,901*
8	Dinajpur ..	Cess imposed but collection suspended.	Nil	Nil	70,342
9	Rangpur ..	Cess imposed ..	Nil	56,059 0 0	1,14,194†
10	Jalpaiguri ..	Do. ..	794	3,84,588 0 0	65,493
11	Dacca ..	Do. ..	2,095	2,63,812 15 1	4,21,341
12	Mymensingh ..	Do. ..	2,595	6,27,712 0 0	5,94,189
13	Faridpur ..	Do. ..	Nil	66,790 0 0	2,98,209
14	Bakarganj ..	Do. ..	Nil	1,68,932 0 0	1,86,408
15	Chittagong ..	Do. ..	1,625	2,26,320 0 0	1,85,291
16	Noakhali ..	Do. ..	1,241	2,96,771 12 4	1,92,354
17	Tippera ..	Do. ..	1,135	3,97,279 0 0	4,14,897

*There were 5 Biss Scheme Free Primary Schools.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On account of the difficulties of communication, is it not necessary that in some places more schools should be maintained?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Yes; the general rule has to be departed from in special cases like the one mentioned by the honourable member.

Mr. NUR AHMED: With reference to the second paragraph of the answer to (*c*) of the question, will the Hon'ble Minister be pleased to state if there is not a great discontent over the abolition of so many schools in Chittagong?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I am not aware of it.

Mr. NUR AHMED: Will the Hon'ble Minister please look into the matter?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I shall make an enquiry into the matter

Chittagong College.

65. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state if the proposed schemes for the improvement and expansion of the laboratory of the Chittagong College has been sanctioned by the Government? If not, why not?

(*b*) Has the proposed schemes for the expansion of the Chittagong College been sanctioned? If not, why not?

The Hon'ble Khan Bahadur M. ABDUL KARIM: (*a*) The scheme has been approved, but it has not yet been possible to provide funds.

(*b*) No. The consideration of the scheme has been postponed owing to the situation of Chittagong in regard to the war.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to state when the scheme for the improvement of the laboratory was first approved by Government?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I cannot tell that off-hand without looking into the records.

Government grant to Madrasahs.

66. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a detailed statement showing allotment of Government grant to different madrasahs, both old and reformed, district by district?

(*b*) Is it a fact that a smaller grant is being given to the Dar-ul-Islam Madrasah at Chittagong than other madrasahs and especially the Calcutta Madrasah?

The Hon'ble Khan Bahadur M. ABDUL KARIM: (*a*) A statement has been laid in the Library.

(*b*) There is no Madrasah called "Dar-ul-Islam Madrasah" in Chittagong. There is a Madrasah called the "Dar-ul-Ulum Madrasah" in Chittagong. This madrasah receives the highest grant among Old Scheme Madrasahs in the Chittagong, Dacca and Rajshahi Divisions. The Calcutta Madrasah is a Government institution and as such no comparison with it arises.

Waste land in Bengal.

67. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state what is the area of waste land in Bengal?

(*b*) Of this total area, how much can be brought under cultivation and how much is incapable of cultivation?

(*c*) Have the Government got any scheme of village plantation and utilisation of waste land for grazing, and producing timber and fuel?

(*d*) If so, what is their number and where have they been put in operation?

(*e*) If not, do the Government propose to prepare such schemes and put them into operation under the Bengal Development Act or under any other Act in force in Bengal? If not, why not?

(*f*) Is it a fact that similar schemes have been put into operation by the United Provinces Government and is it a fact that they have found it a great success in the United Provinces?

(*g*) If so, do this Government also propose to prepare similar schemes and put them into operation in Bengal? If not, why not?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) 6,115,000 acres.

(*b*) Area of land that can be brought under cultivation—2,710,000 acres.

Area incapable of cultivation—3,405,000 acres.

(*c*) to (*e*) The disafforestation of a part of the reserved forest in the district of Chittagong for colonisation purposes on a co-operative basis, is under examination by a Committee appointed by Government in the Forest and Excise Department. A Committee had also been appointed by that Department to go into the question of utilisation of waste lands for grazing and cultivation purposes so far as the district of Chittagong is concerned. This Committee have concluded their deliberations, and have just submitted a report which is under examination by Government in the Forest and Excise Department.

(*f*) The United Provinces Government appointed a Standing Fodder and Grazing Committee. This Committee drew up a five-year research programme consisting of several connected schemes. No work has, however, been taken up under any of these schemes owing to the war.

(*g*) Government will consider the appointment of a Committee to go into the whole question of fodder and grazing in this Province as early as possible.

Questions with answers which remained unanswered during the First Session, 1942.

Restriction of Jute.

28. Khan Bahadur NAZIRUDDIN AHMAD (on behalf of Khan Bahadur Ataur Rahman): (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what was the opinion of the majority of the members of the Jute Advisory Committee regarding the restriction of jute this year?

(*b*) What was the opinion of the representative of the mill owners?

(*c*) Why was not the opinion of the majority accepted?

(*d*) Are the Government aware that the jute price is adversely affected for increasing the cultivation of jute this year?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) Of the 11 members of the Advisory Board on Jute Regulation present on the 23rd September, 1941, six (the growers' representatives) favoured a reduction to 5 annas of the 1940 crop. The four trade representatives wanted a larger acreage varying from 8 to 12 annas.

(*b*) The representative of the mill owners wanted 12 annas.

(*c*) The Government after consultation with the Government of India decided on 10 annas which they thought was the lowest figure of acreage that would meet the probable requirements of the season and leave an adequate carry-over.

In view however of the shipping difficulties which are being experienced of late Government have since decided to advise the growers to sow jute this year on less than their licensed acreage but in no case on less than 8 annas of the acreage recorded in their names in 1940 and to grow on all lands not under jute the maximum amount of food crops, especially paddy.

(*d*) The Government do not believe that the price of jute has been adversely affected by their decision on the acreage.

Mr. HAMIDUL HUQ CHOWDHURY: Arising out of (*c*), did the Government get an assurance from the traders that the 10 annas acreage scheme would not affect the prices?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: An assurance to this effect was given by this Government with the concurrence of the Government of India.

Mr. HAMIDUL HUQ CHOWDHURY: Did the Government of Bengal ask the Government of India to assure certain minimum prices for this commodity?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: What the Government of Bengal did say was that the Government of India should come forward to help the Government of Bengal so that minimum prices might be maintained.

Mr. HAMIDUL HUQ CHOWDHURY: What was the minimum?

(No answer.)

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state what were the circumstances which were to be taken into consideration in fixing the minimum price?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The circumstances, I mean the arrangements, between the Government of India and the Government of Bengal were that if the price of jute came below a certain figure, then and then only the Government of India would intervene.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, my previous question was this: Was any figure decided upon as the minimum below which the price of jute should not be allowed to go?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, there must have been a certain figure.

Mr. HAMIDUL HUQ CHOWDHURY: But is the Hon'ble Minister aware of that figure?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, I am aware of that figure.

Mr. HAMIDUL HUQ CHOWDHURY: May I enquire as to what is that figure?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I cannot disclose that information, Sir, in public interest.

Mr. HAMIDUL HUQ CHOWDHURY: Arising out of (*d*), is the Hon'ble Minister aware that in certain districts of Bengal jute has become almost unsaleable?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That is not due really to the quantity of acreage; there are other factors for which at the present moment jute prices are so low.

Mr. HAMIDUL HUQ CHOWDHURY: Has the Hon'ble Minister enquired as to what has been the contribution of the increase in acreage towards this decrease in price?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, increase in acreage has nothing to do with the present low level of the price of jute.

Mr. HAMIDUL HUQ CHOWDHURY: What are the data on the basis of which the Hon'ble Minister says that the increased acreage of jute has no effect on the price of jute prevailing at the present time?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The data have been given to me by the experts.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Council not entitled to be taken into confidence as regards the conditions prevailing in the country regarding the jute prices and the inactivity of the Government to fulfil the obligations which they gave at the time when they fixed the 10 annas jute acreage?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, questions are meant for eliciting information. But if the honourable member wants to have such information, he ought to do it through a special motion. Besides, Sir, the Hon'ble the Chief Minister is going to make a statement on the general situation with special reference to prices and price-control in regard to jute and other commodities, and in that connection the honourable members of this House will have an opportunity of discussing these matters. I shall then be in a position to make a comprehensive statement.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, we appeal to you in this matter. We have asked for certain information in part (*d*) of this question and the information given is: Government do not believe that the price of jute has been adversely affected by their decision on the acreage; but the Hon'ble Minister, does not want to give reasons why he says so. Is not this low price of jute due in part at least to this increase in the jute acreage?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already stated that my answer is based on the advice of experts, and beyond that I cannot go.

Mr. HAMIDUL HUQ CHOWDHURY: But Government had an Advisory Committee.....

Mr. PRESIDENT: Order, order. In a question honourable members may ask only for information. The form of the question must not be argumentative or meant to cross-examine the Hon'ble Minister. At the same time, information asked for must be given by the Hon'ble Ministers unless they are in position to plead that it is against the public interest.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, the Hon'ble Minister's plea that he cannot give this information in the public interest is on the face of it simply absurd. Will the Chair not intervene and come to the help of the House?

Mr. PRESIDENT: That is a matter of opinion.

Mr. HAMIDUL HUQ CHOWDHURY: The plea of the Hon'ble Minister is also absurd.

Mr. PRESIDENT: Order, order.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state if it is a fact that large orders were placed with the Government of Bengal by the Government of India on behalf of concerns or countries outside India or the Native States who were willing to purchase jute?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, that is so.

Mr. ABUL QUASEM: Will the Hon'ble Minister please state whether he has studied the expert opinion to which he has referred and has also studied the reasons given by the experts? If so, will he be pleased to lay those reasons before the House?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, I have studied the opinion of the experts. Sir, I have nothing further to add about the matter.

Mr. HAMIDUL HUQ CHOWDHURY: Is it not a fact that majority of the members of the Advisory Board on Jute Regulation suggested that the acreage should be limited to one-third of the 1940 figures? May I know what are the arguments advanced in reply to the arguments used by the majority of the growers' representatives in support of their contention that the price will be seriously affected if the acreage is extended?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I have already answered that question.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state when this advice was tendered to the Hon'ble Minister? I mean the date of such advice.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I cannot give the exact date, Sir.

Mr. HUMAYUN KABIR: Was it not before 1941?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Probably so: that may be correct.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state if Japan did not come into the war after that date?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That I cannot say.

Mr. KRISHNA CHANDRA ROY CHOWDHURY: Will the Hon'ble Minister be pleased to state if it is not a fact that shipping difficulties are at the bottom of this problem?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As I have already stated in my printed reply, it is partly due to shipping difficulties.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister be pleased to state why the majority opinion of the growers was ignored and the opinion of the mill-owners and jute purchasers favoured?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Because, the Government of India informed the Government of Bengal that there was a good deal of demand from outside and it was believed that this demand would continue. I may tell the House that there is no ground for the fear of jute not being sold outside.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister be pleased to state what then stands in the way of the price of jute being raised?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As I have already said, it is partly due to shipping difficulties.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, in reply to a question of Mr. Humayun Kabir, the Hon'ble Minister said that there is demand of jute in the country and that the Government of India have placed large orders with this Government. But how is it that the price of jute in the mofussil is so low that it is unsaleable? Is he not aware that in certain areas the jute-growers are not able to sell jute at all? May I know what are the reasons?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I am aware that the price of jute at present is at a low level—I do not deny that.

Mr. NARESH NATH MOOKERJI: Will the Hon'ble Minister be pleased to state when the Advisory Board submitted their report and when the report was published?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I have already answered that question.

Sir BIJOY PRASAD SINGH ROY: Will the Hon'ble Minister be pleased to state if he is prepared to make a comprehensive statement on the jute problem?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Certainly, I am prepared to make a full statement.

Sir BIJOY PRASAD SINGH ROY: When?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The Hon'ble Chief Minister will shortly make a statement and on that statement there will be a discussion. In that connection, I will also make a statement on jute.

Mr. NARESH NATH MOOKERJI: Arising out of the printed reply (*a*) of the Hon'ble Minister, will the Hon'ble Minister be pleased to state if the Report of the Advisory Board on Jute was submitted some time in September, 1941, and will he also state whether it is not a fact that the decision as to what should be the amount of jute acreage was taken by the previous Government?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, that decision was made by the previous Government.

Rural Public Health Units.

29. Mr. RANAJIT PAL CHOWDURY: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state what conclusion the Government has arrived at as regards the improvement of the rural public health units from the curative and preventive standpoints of the question?

(*b*) Will he be pleased to state what measures have been adopted by the Government for giving adequate medical help to the rural people, and for giving them facilities of having the assistance of trained *dais* or midwives and lady vaccinators?

(*c*) What steps has he taken for the establishment of the maternity wards and clinics for the examination of blood, stool, urine, sputum, etc.?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) Government have accepted the principle that as far as possible the curative and preventive sides of Public Health should be combined in the same staff. But as regards other questions, viz., whether the staff should be Government servants or servants of local bodies, whether Union Board should make an adequate contribution and other details, no decision has yet been reached.

(*b*) and (*c*) Statements furnishing necessary information have been placed in the Library.

Mr. RANAJIT PAL CHOWDHURY: Will the present Government ever come to a decision?

The Hon'ble Mr. SANTOSH KUMAR BASU: If a decision is to be arrived at, it will be done by the present Government.

Mr. KADER BAKSH: Will the Hon'ble Minister be pleased to state when they expect the decision to be arrived at?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not in a position to visualise any exact date; but every effort will be made to expedite the matter.

Mr. KADER BAKSH: Can the Hon'ble Minister give us a rough idea—whether the decision will be arrived at in the course of the current year, *i.e.*, 1942?

The Hon'ble Mr. SANTOSH KUMAR BASU: I shall certainly try to do that.

Evacuation of Calcutta and Chittagong.

30. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Public Health, Local Self-Government and Civil Defence Department be pleased to state if it is a fact that a general exodus of the residents of Calcutta and Chittagong Municipal areas has taken place recently due to panic?

(*b*) If so, what is their approximate number in case of Chittagong Municipal area and in Calcutta respectively?

(*c*) Is it a fact that a large number of them have gone to different mufassal town areas and they have been suffering from great hardships in their new houses?

(*d*) Is it a fact that the rate of house rent and price of all necessaries of life have gone up abnormally in those areas?

(*e*) If so, what steps have been taken by the Government to prevent panic and to give relief to these evacuees?

(*f*) Is it a fact that the income of these two corporate bodies, viz., the Chittagong Municipality and the Calcutta Corporation, has been much reduced?

(*g*) If so, what steps do the Government propose to take to help these bodies?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) There has been no general exodus though a considerable number of residents, mainly women and children, have left Calcutta and Chittagong.

(*b*) It is not possible to give the number, even approximately, of the residents that have so left.

(*c*) and (*d*) Government have no information.

(*e*) To prevent panic the following steps have been taken by Government:—

(*i*) A.R.P. broadcasts to allay panic and to maintain morale are frequently given from Calcutta Station of the All-India Radio.

(*ii*) Frequent Press-Notes and Communiques are issued.

(*iii*) The Public Relations Committee itinerant vans, 15 in number, have been giving daily broadcasts.

(*iv*) A number of trained workers have been going round the *bustees* doing propaganda.

(*v*) A special officer has recently been appointed exclusively for Civil Defence Publicity. To allay panic is one of his main responsibilities.

(*f*) and (*g*) Neither the Calcutta Corporation nor the Chittagong Municipality has represented to Government that their income has reduced due to evacuation nor has either of these bodies asked for any assistance from Government on this ground.

The Hon'ble Mr. SANTOSH KUMAR BASU: As regards the answers to (*f*) and (*g*) of the question, I might say that they have become antiquated.....

Mr. HAMIDUL HUQ CHOWDHURY: What is the answer please?

The Hon'ble Mr. SANTOSH KUMAR BASU: Antiquated in this sense that so far as the Chittagong Municipality is concerned, it has been superseded by the District Magistrate with the approval of Government.

Mr. HAMIDUL HUQ CHOWDHURY: And what about Calcutta? What is the amount the Provincial Government contributed for the relief of the Calcutta Corporation?

The Hon'ble Mr. SANTOSH KUMAR BASU: The Provincial Government have not yet contributed anything. The Calcutta Corporation has represented to Government that they want Rs. 50 lakhs out of which Rs. 10 lakhs is by way of advance to be repaid within this financial year and Rs. 40 lakhs by way of subvention. As regards Rs. 10 lakhs, Government have already intimated to the Calcutta Corporation that they are prepared to advance Rs. 10 lakhs to be repaid within this financial year at an interest of Rs. 2 per annum. As regards the subvention of Rs. 40 lakhs, that is still under the consideration of Government.

Mr. KADER BAKSH: Will the Hon'ble Minister be pleased to state whether any other municipality in this province has been adversely affected with regard to the prices of foodstuffs on account of the influx of evacuees in those municipal areas? And whether they have represented to Government for any redress?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not aware of any such representation from any municipality.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Government examine the financial position of the Calcutta Corporation before they grant this subvention of Rs. 40 lakhs?

The Hon'ble Mr. SANTOSH KUMAR BASU: Government have, in reply to the request for a subvention, intimated to the Corporation that the granting of a subvention would be dependent upon the financial position of the Corporation being examined by an officer appointed by Government.

Mr. HAMIDUL HUQ CHOWDHURY: Can the Hon'ble Minister enlighten the House as to whether it is the intention of the Government to enforce this examination of accounts before they grant Rs. 40 lakhs and also establish some form of control over the expenditure of the Corporation, so that this money may not be another contribution to the wastage usual with Corporation affairs?

The Hon'ble Mr. SANTOSH KUMAR BASU: As I indicated in my last reply, the Government have decided and informed the Corporation that they will scrutinise the finances. As to what other steps will be necessary, that question will arise after the scrutiny has been held.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to state what amount has been given to the Chittagong Municipality after its supersession?

The Hon'ble Mr. SANTOSH KUMAR BASU: I want notice.

Mr. KADER BAKSH: Is the Hon'ble Minister aware that as many as 8,000 evacuees have been encamped near Dinajore and that this has produced an adverse effect on the prices?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am aware that a large number of evacuees, about 8,000 in number, have been encamped near the Dinajpur town. As regards the other part of the question, I have no information.

Mr. KADER BAKSH: Will the Hon'ble Minister be pleased to enquire into the matter in the near future so that Government may know the actual position?

(No answer.)

Mr. KADER BAKSH: Has the Government received any representation on this matter?

The Hon'ble Mr. SANTOSH KUMAR BASU: So far as I am aware, no intimation has been received by Government either from the local officers or from the municipal authorities.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to state if he is aware that about one lakh of rupees has been advanced for the maintenance of the Chittagong Municipality after its supersession?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not definite about it. If the hon'ble member can make that statement, I shall be prepared to accept it. There was some talk of making an advance to the municipality before its supersession.

Khan Bahadur ATAUR RAHMAN: Government published certain figures of people who left in December, January and February on the basis of reports from the East Indian Railway and Bengal and Assam Railway which came to about 9 lakhs. Is the Hon'ble Minister in a position to give the up-to-date figures of such evacuees?

The Hon'ble Mr. SANTOSH KUMAR BASU: It is true certain figures were obtained from the Railways mentioned by the honourable member; but I do not know whether that exhausts the entire number, because a large number of people must have left even by road and some other means of conveyance. So far as those numbers are concerned, they have also become antiquated.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to state if he will make an enquiry as to the number of residents who left Calcutta and Chittagong and where they have gone?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am sorry, Sir, it is not possible even for a Minister of Government to do so.

King Edward Hospital.

31. Rai Bahadur MANMATHA NATH BOSE: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state what was the yearly contribution paid by the Midnapore Municipality prior to 1925-26 for retaining an Assistant Surgeon at the (Sadar) King Edward Hospital in Midnapore?

(*b*) Was there any correspondence between the Government and the Municipality showing that the increased contribution was made in 1925-26 by the Municipality for treatment of more in-door patients in the hospital and not for retaining an Assistant Surgeon? If so, will the Hon'ble Minister be pleased to lay a copy of this correspondence on the Table of the House?

(*c*) Is it a fact that the District Board, Midnapore, at the time of making the grant of Rs.8,000 to the hospital distinctly stated that this grant was made on condition that an Assistant Surgeon would be retained at the Sadar Hospital?

(*d*) Were the X-ray Department and the Pathological Laboratory opened in the said hospital with the approval of the Municipality? If so, will the Hon'ble Minister be pleased to lay a copy of relevant papers on the Table of the House?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) The Municipality made no contribution. Prior to 1925-26 the Hospital Committee paid a contribution of Rs.290 per month to Government for the services of the Assistant Surgeon.

(*b*) There was no correspondence between the Government and the Municipality but the Civil Surgeon of the district carried on some correspondence with the Municipality about the desirability of increased contribution. It was subsequently reported to Government in 1939, that the Municipality had increased its annual contribution to the hospital from Rs.3,500 to Rs.4,000 from the year 1925-26 for the treatment of a larger number of in-patients.

(*c*) No such condition was made by the District Board. It appears, however, that the District Board passed a resolution in March, 1939, requesting the Hospital Committee to entertain an Assistant Surgeon in place of the Sub-Assistant Surgeon.

(*d*) There is nothing on record to show that the approval of the Municipality was taken in connection with the opening of the X-ray Department and the Pathological Laboratory in the hospital. The management of the hospital is vested in the Managing Committee on which there are representatives of the Municipality.

Insanitary conditions of the Midnapore town.

32. Rai Bahadur MANMATHA NATH BOSE: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if the question of the dust nuisance and other insanitary conditions prevailing in the town of Midnapore has been considered by the predecessor to the Hon'ble Minister as promised by him in his reply in the Council given on the 2nd May, 1939, or by the Hon'ble Minister himself? If so, what is the result?

(*b*) Have the remedies, suggested by the Director of Public Health, as stated in the reply on the 2nd May, 1939, been given effect to, by the Municipality? If not, why not?

(*c*) Does the Hon'ble Minister propose to direct the Director of Public Health to visit Midnapore in order to see what is needed to remedy the evil, and how much has been done by the Municipality?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) Yes. It was considered by my predecessor and the Municipality was requested to take remedial measures as suggested by the Director of Public Health.

(*b*) The honourable member is referred to letter No. 1386, dated the 25th September, 1939, from Chairman, Midnapore Municipality, to the Assistant Director of Public Health, Burdwan Circle, a copy of which is placed in the Library.

(*c*) The Director of Public Health has been instructed to visit Midnapore and submit a report on the subject at an early date.

Public burial grounds.

33. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether the Bengal Act IV of 1889 dealing with public burial grounds is still in force; and

(*b*) whether the Burial Ground Board constituted under the Act is functioning?

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: What are the functions of the Burial Ground Board?

The Hon'ble Mr. SANTOSH KUMAR BASU: That information, I am sure, will be found in the Act itself.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: Is the Hon'ble Minister aware that the burial grounds scheduled in the Act itself are not being at all looked after by the Board, and they are being used in any way by washermen and other people?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not aware of it.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister please make an enquiry if it is a fact that even the burial grounds included in the schedule of the Act itself are not being taken care of at all by the Board?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am afraid the suggestion is of a general nature and as such it is not possible to have a roving enquiry of this character with regard to the burial grounds in the whole of this province.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Then, I may specify the item and ask if he will be prepared to make an enquiry with regard to item 7 in the schedule of the Act?

The Hon'ble Mr. SANTOSH KUMAR BASU: I shall try to find out.....

Mr. PRESIDENT: Order, order. As I have said before, arguments in a question are not allowed.

Higher Education for Muslim girls.

34. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what measures does he propose to adopt for more rapid spread of higher education among Muslim girls in Bengal in general and in the Chittagong Division in particular?

(*b*) Is it a fact that the work of the extension and improvement of the Dr. Khastagir's High School for Girls, Chittagong, which was about to commence, has been suddenly postponed? If so, why?

(*c*) Is it a fact that the school is badly in need of a hostel for Muslim girls and also of extension?

(*d*) If so, do the Government propose to carry out the scheme of extension and improvement already sanctioned for which money was provided in the budget for the current financial year?

The Hon'ble Khan Bahadur M. ABDUL KARIM: (*a*) In existing conditions, Government do not propose to launch any new scheme for the more rapid extension of higher education among Muslim girls of Bengal or of the Chittagong Division.

(*b*) Yes. Because of the war and conditions in Chittagong.

(*c*) Yes.

(*d*) No.

Mr. NUR AHMED: With regard to the answer (*a*), will the Hon'ble Minister be pleased to state if he has got any scheme for the rapid spread of higher education among the Muslim girls of Bengal?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Some schemes have been formulated, but they have not yet reached a definite crystallised form.

Khan Bahadur ATAUR RAHMAN: In reply to (*c*), the Hon'ble Minister says that a hostel is badly needed for Muslim girls, but in reply to (*d*), he says that the matter will not be taken up. Will the Hon'ble Minister please state, therefore, why such an important and urgent matter should be left behind?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Well, because of the war situation and the conditions in Chittagong.

Report of the Madrasah Education Committee.

35. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state if the attention of the Government of Bengal has been drawn to the recommendations made in the Report of Madrasah Education Committee published in 1941?

(*b*) If so, what steps have been taken by the Government to give effect to the same?

(*c*) Which of these recommendations have been accepted by the Government and which have not been accepted?

(*d*) Have the Government accepted the recommendation No. 65 regarding starting a University of Islamic Learning at Calcutta? If so, when will the said University be started? If not, why not?

(*e*) Is it a fact that there is an unanimous demand from the Moslems of Bengal for such a University? If so, do the Government propose to introduce a suitable Bill in the legislature with a view to establishing such a University? If not, why not?

The Hon'ble Khan Bahadur M. ABDUL KARIM: The report has been received and the Director of Public Instruction asked to submit his recommendations on it. I may add after what I have said in the printed answer that the recommendation of the Director of Public Instruction has been received by me and it is under my consideration.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to state if any recommendation has been made with regard to question (*e*): is he not aware that there is a great demand for such a University in Bengal?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Yes, there is a recommendation like that in the Report itself.

Education cess in Murshidabad.

36. Khan Bahadur ATAUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state if the education cess is imposed in the district of Murshidabad? If so, from what year is it being realised?

(*b*) Has any scheme been drawn up about the number of schools and their locations?

(*c*) If the answer to part (*b*) be in the affirmative, will the Hon'ble Minister be pleased to state how many schools will be started in each Union? Are all the proposed schools being started? If not, why not?

(*d*) What will be the jurisdiction of each school?

(*e*) Is it a fact that very young boys will have to attend these schools from a distance of 2 or 3 miles? If so, will it be possible for them?

(*f*) Is it a fact that the poor agriculturists have to pay the education cess and also to maintain Pathsalas and Muktabs for the youngsters?

(*g*) Does the Hon'ble Minister propose to take steps to save them from this double expenditure?

The Hon'ble Khan Bahadur M. ABDUL KARIM: (*a*) Yes; from the middle of the year 1940-41.

(*b*) to (*d*) Yes. A scheme has been drawn up on a five-year plan and it is proposed to establish 316 free primary schools in suitable areas in the first year, viz., 1942-43, with effect from the 1st April, 1942. The aggregate number of schools to be started in the Free Primary Education Scheme is 798 in course of five years or earlier as finances permit. The scheme envisages at least two schools in each union, but the number of schools in a union will necessarily vary with the area, population and accessibility of the unions. The unit area for each school is 3·14 square miles or a population of 2,000 souls whichever is more convenient in the interest of the students.

(*e*) No. It is not likely that any student will have to travel more than one mile.

(*f*) and (*g*) No. When the scheme is completed there will be no occasion to maintain separate institutions for the children. Pending completion of the scheme, it has been decided to increase contributions towards existing institutions for primary education so that there should be no appreciable burden on the residents of the locality. This policy is being adopted in respect of the areas where it will not be possible to start free primary schools under the Act and according to the scheme adopted in this district for the present.

Education of boys and girls in class I areas.

37. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what arrangements have been made by the Government of Bengal for the education of boys and girls in the class I area of Bengal?

(*b*) Is it a fact that the regrouping of girls' schools and colleges and boys' schools and colleges would result in closing down for ever many private and aided institutions in these areas?

(*c*) Is it a fact that aided and unaided schools have no surplus fund to undertake costly A.R.P. measures as directed by the Government and the University of Calcutta?

(*d*) Are the Government aware that in Madras the Government have asked such institutions to function as usual and have promised them enhanced grant proportionate to the loss of income they would suffer due to the exodus of pupils, advance disbursement of grants and have also promised to bear half the cost incurred for the A.R.P. measures?

(*e*) If so, do the Government of Bengal propose to adopt the similar policy as adopted by the Government of Madras in the danger zones of Bengal? If not, why not?

The Hon'ble Khan Bahadur M. ABDUL KARIM: (*a*) Eight Central Schools for Girls in Calcutta will be maintained and given support and assistance by Government and the University. Other girls' schools may open on the responsibility of the Managing Committees but may not expect assistance from Government or the University. In places which are some distance away from the Central Schools, the schools which decide to reopen will however be given assistance.

It is also proposed to regroup in a like manner the 160 boys' schools in Calcutta into a much smaller number, say about 65 to 70, and to give such assistance as is possible to these schools.

In areas outside Calcutta, both boys' and girls' schools may carry on their normal activities, provided they have adopted the necessary protective measures.

(*b*) This is a matter of opinion.

(*c*) Some have, others have not; all schools in Calcutta can have the protective work demanded by the University done either through the

University or by the school authorities, where necessary, with advance from funds provided by Government and the University. The question of financial assistance to schools will be dealt on the merits of each case.

(*d*) and (*e*) I read so in the newspapers but I have since read another report which said that the Government of Madras had changed their policy.

Mr. NUR AHMED: It has been said in answer to part (*a*) of the question that "It is also proposed to regroup in a like manner the 160 boys' schools in Calcutta into a much smaller number, say about 65 to 70, and to give such assistance as is possible to these schools," etc. But is it a fact that both high schools and collegiate schools have been closed in Chittagong? And that one school was closed in July?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Oh, yes, but alternative arrangements have been made for those schools which have been affected in Chittagong.

Accommodation of European evacuees from Calcutta in Taki.

38. Mr. B. K. ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) if the Taki Government School and its attached hostel in the district of 24-Parganas have been taken over by the Government under the Defence of India Act for the accommodation of Europeans evacuated from Calcutta;

(*b*) how many other such houses have been taken over by the Government for the same purpose; and

(*c*) how many suitable houses have been taken over by the Government in the neighbouring districts for the accommodation of Indian evacuees from Calcutta?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) No.

(*b*) and (*c*) No house or building has been requisitioned by the Government exclusively for the European evacuees from Calcutta. The relief centres opened in the different districts are meant for use of evacuees of all classes and races and so far 122 Relief Centres have been opened, some being located in houses made available by the owners for this purpose.

Mosque for litigant public of the Alipore Court.

39. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Judicial Department be pleased to state—

(*a*) whether an application was made to the Government of Bengal by the Moslem Legal Practitioners and litigant public of the Alipore Judge's Court praying that there being no mosque near about the Judge's Court, the litigant public as well as legal practitioners find difficulty in saying their midday prayer, and that they might be given some land in the Court compound for erection of a mosque or prayer house;

(*b*) if so, when the application was received by the Government;

(*c*) whether it was recommended by the District Judge; and

(*d*) if so, whether any orders have been passed on that; if not, why not?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) and (*c*) Yes.

(*b*) 29th August, 1940.

(*d*) The question is under the consideration of the Government.

Maulvi ABUL QUASEM: Will the Hon'ble Minister be pleased to give an indication as to how much longer the question is destined to remain under the consideration of the Government?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (Khan Bahadur NAZIRUDDIN AHMAD: It is a question of destiny.) Sir, as has been said by Khan Bahadur Naziruddin Ahmad, the question of destiny is a difficult question. Sir, the application was made on the 29th August, 1940, and I took charge of this portfolio on the 17th December, 1941. The previous Government could not come to a decision within 14 months, and I think I have still some more months left, but I can assure my honourable friend that the matter will certainly receive my most sympathetic consideration.

Maulvi ABUL QUASEM: By what probable date may I enquire, Sir?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, I am unable to indicate the date.

Maulvi ABUL QUASEM: Sir, the Hon'ble Minister has said that the previous Government took 14 months. So I ask whether he will exceed that period or he will be able to do it in lesser time.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, I do not want to sit in judgment over the conduct—the diligence or the negligence—of my predecessor in office.

Maulvi ABUL QUASEM: Sir, I only want to know whether the Hon'ble Minister will be guided by the period the previous Government took in coming to a decision.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Well, Sir, our freedom broadens down from precedent to precedent.

Mr. HAMIDUL HUQ CHOWDHURY: Are you going to create another precedent?

(No answer.)

Pay of Engineer Estimators.

40. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state how many Engineer Estimators are now serving in the Public Works Department in the different Circles?

(*b*) What is the duration of service of each one of them?

(*c*) Are they all graduates of the Sibpur Engineering College?

(*d*) Is it a fact that some of them get Rs.150 as their pay, while others Rs.100 only? If so, how many of them get Rs.150 and how many Rs.100?

(*e*) What is the basis of the fixation of their pay?

(*f*) Did Government receive any representation at any time from these Engineer Estimators regarding their grievances? If so, what are they?

(*g*) Do Government propose to absorb them in substantive service of Government for filling up future vacancies in case they proved competent before recruitment of outsiders not already in Government service?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Mr. Shamsuddin Ahmed): (*a*) Eleven Engineer Estimators (1 permanent and 10 temporary).

(*b*) (*i*) One from 2nd June, 1938.

(*ii*) One from 3rd November, 1939.

(*iii*) One from 24th November, 1939.

(*iv*) One from 22nd December, 1939.

(*v*) One from 1st February, 1940.

(*vi*) One from 3rd June, 1940.

(*vii*) One from 17th June, 1940.

(*viii*) One from 15th May, 1941.

(*ix*) One from 22nd July, 1941.

(*x*) One from 21st October, 1941.

(*xi*) One from 18th February, 1942.

(*c*) Yes.

(*d*) (*i*) The permanent Engineer Estimator is drawing Rs.125 per month in the scale of Rs.125—10/2—175—15/2—220.

(*ii*) Nine temporary Engineer Estimators are drawing fixed pay of Rs.150 per month each and one is drawing fixed pay of Rs.100 per month.

(*e*) The pay of temporary posts is generally fixed at the minimum of the sanctioned scales of corresponding permanent posts. Prior to the introduction of the scale of pay of Engineer Estimators some experienced Engineer Estimators were required in connection with some important bridge construction and some temporary Engineer Estimators were appointed at a fixed pay of Rs.150 per month on the basis of the minimum pay of Assistant

Engineers in the B.E.S. In one case the post was originally sanctioned on Rs.60 per month for an Overseer Estimator but later the pay of the post was raised to Rs.100 per month and a B.E Estimator who was available at the pay was appointed to the post.

(*f*) In 1939 memorials were received from the Engineer Estimators for improvements in their conditions of service, viz., alteration of their designation to "Engineer Estimator" and to the grant of incremental rate of pay.

Another representation has recently been received from the Engineer Estimator drawing Rs.100 per month for the fixation of his pay at Rs.150 per month and for the grant of graded scale of pay and ultimate absorption into the permanent service as Assistant Engineer.

(*g*) If there be any permanent vacancy in the cadre of Engineers, the cases of the temporary incumbents will be duly considered in filling up the vacancy on the basis of recommendations of the Public Service Commission.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state when the temporary Engineer Estimator at Rs. 100 was appointed?

The Hon'ble Mr. SHAMSUDDIN AHMED: I want notice.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state what became the fate of the representation of that temporary Engineer Estimator who was appointed at Rs. 100.

The Hon'ble Mr. SHAMSUDDIN AHMED: This case will be considered when a permanent vacancy arises.

Questions tabled for Current Session and Answers thereto.

Railway accidents.

1. Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to lay on the Table a statement showing the dates of railway accidents which have taken place in this Province from January, 1941, to July, 1942?

(*b*) Will he be pleased to state the respective causes of these accidents?

The Hon'ble Mr. SHAMSUDDIN AHMED: I am not sure whether the honourable member refers to all railway accidents or only those which have resulted in the loss of human lives. I shall let the honourable member know the details as soon as I know what he actually means.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: With reference to the reply made by the Hon'ble Minister, I beg to state that at the beginning I referred to all the accidents that took place during the year, but considering the fact that it involves much labour, I shall be satisfied if only the accidents that resulted in loss of human lives be mentioned.

Foreign liquor shops in Mymensingh.

2. Khan Bahadur ABDUL HAMID CHOWDHURY: Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state—

(*a*) is it a fact that the present policy and principle of the Government to introduce prohibition gradually by reducing consumption by provision of minimum reasonable facilities;

(*b*) (*i*) that in pursuance of the same policy and principle prohibition has already been introduced in some districts of this Province;

(*ii*) that there are two "Off" licences for sale of foreign liquor in the town of Mymensingh, one shop being situated in the heart of the town and another licence being held by Messrs. D. Sorabjee & Co., along with an "On" licence at the railway refreshment room;

(*iii*) that the Excise Licensing Board, Mymensingh, at a meeting held on the 22nd November, 1941, decided to abolish the "Off" shop of Messrs. D. Sorabjee & Co., with effect from 1st April, 1942;

(*iv*) that on a petition of objection filed by Messrs. D. Sorabjee & Co., against the said decision of the Licensing Board, the matter was reconsidered at a subsequent meeting of the Board, held on the 31st January, 1942, when the previous decision of the Board was unanimously upheld with a view to avoiding encouraging consumption by providing superfluous facilities;

(*v*) that the privilege of having an "Off" licence of Messrs. D. Sorabjee & Co., was withdrawn by the Excise Commissioner with effect from the 10th October, 1928, on a very strong report of the District Magistrate of Mymensingh; and

(*vi*) that a representation of Messrs. D. Sorabjee & Co., for restoration of the "Off" licence was rejected by the Commissioner of Excise in 1930 and another representation for the same purpose met with the same fate in 1932; and

(*c*) if the answer to the above questions be in the affirmative, whether it has been finally decided to discontinue renewal of the "Off" licence of Messrs. D. Sorabjee & Co., as unanimously recommended by the Excise Licensing Board; if not, why not?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Upendra Nath Barman): (*a*) and (*b*) (*i*), (*iii*) to (*vi*) Yes.

(*ii*) and (*c*) There were two "Off" licences for the sale of foreign liquor but one of them, namely, that held by Messrs. D. Sorabjee & Co., has been discontinued.

Khan Bahadur ABDUL HAMID CHOWDHURY: Will the Hon'ble Minister be pleased to state if he has received subsequently any representation from Messrs. D. Sorabjee & Co.?

The Hon'ble Mr. UPENDRA NATH BARMAN: I am not aware of any such representation.

Statement laid on the Table at the meeting of the Bengal Legislative Council held on the 15th September, 1942.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I lay on the Table the information promised in reply to question bearing No. 108 to which an *ad interim* reply was given on the 12th September, 1941:—

QUESTION: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) what is the total number of overseers, store-keepers, head clerks, clerks, clerks in Upper Division, clerks in Lower Division, section-holders and readers in the Jail Press and Forms Department in Alipore Jail; and

(*b*) how many of them in each class are Muslims and how many are non-Muslims?

ANSWER: A statement is placed on the Table of the House.

Name of appointment.	Total number of appointments.	Held by the communities.				Remarks.
		Muslims.	Non-Muslims.			
			Hindu.	Scheduled Caste.	Others.	
Overseer ..	1	..	1	..	..	
Store-keeper, Forms ..	1	1	..	..	..	
Miscellaneous Store-keeper ..	1	..	1	..	..	
Paper Store-keeper ..	1	..	1	..	..	
Head Clerks ..	2	..	2	..	..	
Clerks, Upper Division ..	Nil	Nil	Nil	Nil	Nil	
Clerks, Lower Division ..	32	14	13	2	2	1 vacant.
Section-holders ..	2	..	1		..	1 vacant; held in abeyance.
Readers ..	2	..	2	..	..	
Assistant Miscellaneous Store-keeper.	1	..	1	..	..	
Assistant Paper Store-keeper	2	1	1	..	..	
Assistant Section-holders ..	2	1	1	..	..	
*Clerks other than Upper and Lower Divisions.	39	13	25	1	..	

*Recruited before 22nd July, 1931, i.e., before introduction of the revised scale of pay, and not divided into Upper and Lower Divisions.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I lay on the Table a statement furnishing information promised in the replies to the supplementary questions relating to Council Question No. 95 (September, 1941) by Dr. Kumud Sankar Roy, M.L.C.

Eligibility of Bengali students for admission into the Medical Colleges of certain other Provinces in India.

Bihar.—There is nothing in the rules of the Patna Medical College to prevent the admission of students from outside the province. But owing to limited accommodation students from outside Bihar have practically no chance of securing admission into the college.

Madras.—Preference is given to students of the Madras Presidency. Students from outside the province have litttle chance of securing admission as accommodation is much too limited. Non-Madras students, if admitted, are required to pay twice the normal tuition fees.

Bombay.—In the Grant Medical College, eight seats are reserved for extra-provincial students. The local Governments or Indian States desiring to reserve seats for their students are required to pay a capitation fee of Rs. 700 per student per annum.

United Provinces.—In the Lucknow University the declared number of medical seats are filled up on the result of a competitive examination, the examination being restricted to students who are bona fide residents of the United Provinces or residents of other provinces or Indian States which have no Medical Colleges of their own and whose claim to admission has been recognized by the Executive Committee of the University.

In the Agra Medical College which is managed by the United Provinces Government students of other provinces are not ordinarily admitted.

Punjab.—Students from Bengal are not admitted into the King Edward Medical College, Lahore, but Bengalis who are domiciled in the Punjab or are nominees of the Chief Commissioner, Delhi, or North-West Frontier Province, or Resident, Punjab States, are eligible for admission. The scale of fees is uniform in all cases.

Affiliation of one of the Medical Schools in Calcutta to the M. B. Standard of the Calcutta University.

In 1935 the Calcutta University recommended that the Jatiya Ayurbijnan Vidyalaya (National Medical Institute), Calcutta, should be granted affiliation up to the Preliminary Scientific M. B. Standard of this University. The proposal was, however, not sanctioned by Government as it was considered that recognition of an ill-equipped and inadequately staffed medical institution might lead to a lowering of the standard of the medical education which was under the general supervision and control of the Medical Council of India. It was suggested to the University that the Inspectors of the Medical Council of India might be invited to inspect the equipment and teaching arrangements in the Vidyalaya. Subsequently, however, the

M. B. Regulations of the University were changed. The revised regulations which were introduced in June, 1940, did not provide for a Preliminary Scientific M. B. Examination. In the circumstances the proposal for affiliation of the Jatiya Ayurbijnan Vidyalaya up to the Preliminary Scientific M. B. Examination was not further pursued by Government and the Calcutta University was informed of this decision in May, 1939.

Leave of absence.

The following application has been received from Khan Bahadur Alhaj Muhammad Esmail, M.L.C., under sub-rule (*i*) of rule 7 of the Bengal Legislative Council Procedure Rules for leave of absence.

"I beg to apply under rule 7(*i*) of the Bengal Legislative Council Procedure Rules for permission for my absence from the meetings of the Council from the 11th August, 1941, to 10th March, 1942, as I could not be present due to ill-health."

The question before the Council is that permission be granted to Khan Bahadur Alhaj Khwaja Muhammad Esmail, M.L.C., for absence for a period of sixty days.

Those who are of the same opinion will say "Aye" and those who are of the contrary opinion will say "No."

(The question was agreed to.)

Adjournment motions.

Mr. PRESIDENT: The Chair has received some notices of motions for adjournment of the House. The first one stands in the name of Mr. Nur Ahmed and runs as follows:—

That this Council do adjourn its business for the purpose of discussing a definite matter of urgent public importance, viz., the failure of the Government of Bengal to put into operation an efficient and effective scheme or control of prices of foodstuffs and other necessaries of life.

Has the Hon'ble Nawab Bahadur of Dacca got anything to say about this motion?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I beg to oppose the motion: firstly, on the ground that it is not a matter of urgent public importance; and, secondly, the House will have an opportunity of expressing its views fully on this matter in connection with the discussion on the statement on the general situation in this province which the Hon'ble the Chief Minister will make this Session. It is not a matter of recent occurrence either. On these grounds, I beg to oppose the motion.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, in addition to what my friend the Nawab Bahadur has said, I may be permitted to state that this question of price-control is inter-dependent on many measures that have been taken by the Government of India over which this Government has got no control. Therefore, I submit that it is impossible to discuss this

adjournment motion without bringing into the arena of discussion various matters which are entirely under the control of the Central Government. I may tell the House that I shall shortly make a statement on the general situation in this province and in that connection the matter may be discussed fully. The question is a recurring one and is being considered at the present moment. If, however, there are any particular resolutions which can give helpful suggestions to the Government, then nothing can be more welcome to Government and they will have nothing to object to. But if it is meant as a censure motion for something for which this Government does not accept entire responsibility, then I submit the motion should not be admitted.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, as regards the matter being inter-dependent upon certain other factors which are within the purview of the Government of India, I submit that section 98 of our Procedure Rules only requires that the subject-matter of an adjournment motion must primarily be the concern of the Provincial Government. But the Hon'ble the Chief Minister has not yet stated that it is not the primary responsibility of the Government of this province to provide adequate supplies of food for the people committed to their charge. If, however, they disown their own responsibility in the matter, then I submit that it will not be in consonance with the Government of India Act, 1935, which provides that these matters are exclusive matters for every Provincial Government. If, however, by certain arrangements this Government transfers some of its powers to the Central Government, then it is not a matter which this Council should take notice of. As regards the matter being discussed in course of a debate, I submit that no motion has been tabled with regard to this matter which will be hit by rule 99(*iv*). At present, there is no such question before the House for consideration. In these circumstances, I submit that the Hon'ble Chief Minister's objection cannot be maintained.

So far as the contention of the Hon'ble Minister in charge of the Department is concerned, namely, that it is not a matter of immediate urgency, I submit that if it is not a question of urgency I do not know what is! It is an every-day question—it is a question of life and death. The Hon'ble Chief Minister himself has said it is a vital question. So I think, Sir, it fulfils the conditions laid down in rules 98 and 99 of our Rules and there is no valid ground for objection.

Mr. NUR AHMED: Sir, under the Defence of India Rules the Government of India have delegated large powers to the Provincial Government for control of prices and my motion.....

Mr. PRESIDENT: What have you got to say about the suggestion of the Premier that the matter may be discussed in detail on a statement to be made by him?

Mr. NUR AHMED: I can assure the Hon'ble Chief Minister that my motion is not meant for censuring the Government. I want the Government to consider this vital question and to have a full discussion on the matter. I

think, Sir, after what has been said by the Hon'ble Chief Minister, this motion may be considered after the suggested statement has been made by him.

Mr. PRESIDENT: Then, in view of the Hon'ble Chief Minister's statement you are not pressing this motion at this stage?

Mr. NUR AHMED: Yes, Sir.

Mr. PRESIDENT: The next item is a motion for adjournment tabled by Khan Bahadur Saiyed Muazzamuddin Hosain, viz.—

That this Council do adjourn its business for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the Government to give protection to the students of Calcutta colleges who are willing to attend their classes, by taking adequate steps against the picketers and closing down the colleges by administrative order without having any regard to the interest of the peaceful section of the student community.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, on an adjournment motion it is necessary to make out the responsibility of Government in certain alleged failures. The motion presupposes that it would be possible for the Government of Bengal, by punishing the strikers and other persons, to make the schools and colleges go on. I submit, Sir, it is not so. On the other hand, experience has shown that the case is just the reverse, and closing down of colleges and schools is supposed to be a bad example set by Government.....

Mr. HAMIDUL HUQ CHOWDHURY: On a point of order, Sir. The honourable member is going into the merits of the question without mentioning.....

Khan Bahadur NAZIRUDDIN AHMAD: I do not express any opinion whether it is bad or good on the merits. But I say that the motion presupposes.....

Mr. PRESIDENT: You say that it is not definite—it is vague?

Khan Bahadur NAZIRUDDIN AHMAD: Yes, Sir. It is vague. It does not give any definite reason. So, Sir, I object to it.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, it is a matter of definite urgent public importance, because it affects the educational interest of the entire community, and their interest will be jeopardised because we all know that after a very long vacation only the other day these schools reopened. They have been closed again and no action has been taken by Government to stop picketting and other demonstrations. This shows that either the Government is in sympathy with these picketers or it cannot stop the picketers. By administrative orders these schools have been closed and so the educational interest of the entire nation are being peopardised. I submit that this matter is of urgent public importance and it should form the subject-matter of an adjournment motion.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I want to say something regarding the objection of Khan Bahadur Naziruddin Ahmad. He says that it is not a definite matter of urgent public importance. I submit, Sir, it is a definite matter of urgent public importance. It is the duty of Government to see that citizens are allowed to continue their ordinary avocation and if there is any difficulty Government should protect and help the citizens in removing that difficulty. Now, there are students who are willing to attend the schools and colleges but, for the picketers they are unable to attend the schools and colleges. Government has failed to do anything to stop this picketting. And it is by this motion that we want to discuss the matter.

Mr. PRESIDENT: How can the honourable member state definitely that Government failed to give protection to the students who were willing to attend their schools? Is it not possible that the guardians of many students asked them not to attend schools and colleges and thereby avoid risks to their lives which were very likely during the period of disturbances?

Mr. HAMIDUL HUQ CHOWDHURY: Sir, we have got definite evidence that some students who wanted to attend schools and colleges wanted help from Government, but that help was refused.

Mr. PRESIDENT: How do you presume that the Government closed the institutions because they were in sympathy with the picketers? The schools may have been closed in the general interest of the students.

Mr. HAMIDUL HUQ CHOWDHURY: But let Government justify that order. There are many students who have paid their school-fees and they are anxious to go on with their studies. But Government without giving these students any facilities are encouraging those picketers and are playing into their hands. It is only by this motion that we can discuss the matter fully.

Mr. PRESIDENT: Let us hear what the Education Minister has got to say on this point?

The Hon'ble Khan Bahadur M. ABDUL KARIM: In the first place, Sir, I oppose the motion. The underlying purpose of the motion is to state that as a matter of fact Government is not giving protection to those students who are desirous of prosecuting their studies. Analysed clearly, it resolves into this. As a matter of fact, Government is saving those boys, who are willing to read, from destruction. As a matter of fact, here Government has also its own institutions to close which are, however, few in number. The Islamic Intermediate College is a Government institution which has already closed for the Ramzan vacation. Lady Brabourne College has already closed for the same reason. There is another Government institution, the Sakhawat Memorial Institute, that also is closed for the Ramzan vacation. The only two institutions affected are the Presidency College and Bethune College. These are the only two colleges affected.

Mr. PRESIDENT: Will the Hon'ble Minister answer the question as to whether Government closed the institutions to help the picketers?

The Hon'ble Khan Bahadur M. ABDUL KARIM: To save the boys from the picketers, and in trying to save the boys it would be necessary for Government to employ police force with disastrous consequence which no sensible man in Bengal would like. Therefore, my friends on the other side put forward a proposition for which they are responsible to a large extent. Secondly, there are other colleges and they have closed under University orders. As a matter of fact, I will share the responsibility with the University. It is not a matter in which I am solely concerned except so far as the Government institutions are concerned. Then, there is the case of non-Government schools. They are not bound to obey my orders. Therefore, my submission is that this motion before the House has the object of unnecessarily censuring the Government. It is a malafide motion.

Mr. PRESIDENT: The Chair is bound to accept the statement of the Government unless it is refuted by evidence. I hold that this motion is not definite and so I disallow the motion.

Mr. HAMIDUL HUQ CHOWDHURY: May I rise on a point of order?

Mr. PRESIDENT: Order, order.

Mr. PRESIDENT: I have also received another notice of an adjournment motion from Mr. Abul Quasem which reads as follows:—

That this Council do adjourn its business for the purpose of discussing a definite matter of urgent public importance, namely, the unprecedented, improper and illegal conduct of the Bengal Ministry in allowing travelling allowance drawn by party members from public funds instead of from party fund for attending party meetings in Calcutta and the demoralising effect it is likely to have on the parliamentary life of the province.

Mr. ABUL QUASEM: Sir, the matter is set out specifically in the motion which stands in my name. It is perfectly definite and is intelligible to all. And, besides, it is also of recent occurrence. It took place in the month of July. Sir, every one of us expected that a Session of the Legislature would be held, as usual, in the month of July; but for reasons which are not at all intelligible to the Opposition, the Ministry did not hold a Session of the Legislature in July. They, however, invited their party members to a party conference and thus enabled them to participate, at any rate, in part of their usual perquisites by allowing travelling allowances to them from the public funds, to keep them in good humour. This is against all previous practice, and I hope it will not be regarded by the Treasury Bench as a procedure "broadening from precedent to precedent." Sir, it is a procedure over which the sooner the Ministry drew a veil, the better for them. Sir, this is a matter which concerns the parliamentary life of this province. It is a definite matter and one of urgent public importance

and concerns public morality. Having regard to the serious moral and legal issue involved and it being a matter which touches the parliamentary life of this province, I hope, Sir, you will allow me to move this motion.

Mr. NARESH NATH MOOKERJEE: Sir, is the motion of such importance that all the normal business of this House should be suspended? It seems to me that the matter is in the nature of a grievance and, therefore, it can be brought up as a resolution. Is it fair that the House should be adjourned to discuss a matter of this kind?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, the motion has been tabled for the discussion of a matter of urgent public importance, namely, the "unprecedented, improper and illegal" granting of travelling allowances from the public funds for a conference convened for party purposes. Sir, I have been a member of several Governments and I know of a Government which used to pay money to its supporters by appointing any number of bogus committees and also committees to roam about the whole of India, so that their pockets might be filled. Therefore, Sir, there is nothing unprecedented, nor improper, nor illegal in the present Government having granted travelling allowance etc., to its party members for attending a certain conference. May I point out to the House that the members of the party were called to Calcutta to discuss matters of urgent public importance. The views of the members of the party were necessary to be ascertained in order to enable Government to take up certain measures of urgent public importance. Government could not get—and indeed they could not expect to get—any helpful suggestion from the Opposition, and it is for this reason that those members who were the supporters of Government were called and their opinions were obtained. As they came for a public purpose, it is but fair that they should be paid from the public funds. If, however, the Public Accounts Committee, the Accountant-General, Bengal, or any such functionary declines to support this expenditure, rejects the granting of this travelling allowance, or reports to the Government that the payment was illegal, then the members who had drawn these allowances are quite prepared to refund the money. But as long as we do not get any indication from those who scrutinise public expenditure about the illegality of the procedure, I submit that nothing illegal or improper has been committed and such an adjournment motion should, therefore, not be admitted.

Mr. PRESIDENT: This is certainly a matter of public importance. But my difficulty is that it offends against the rule of anticipation, because notice has been given by the Leader of the Opposition of a question on this subject and I have already admitted it. The question is as follows:—

"Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) whether travelling allowance is being allowed to members of the Bengal Legislature for attending meetings of the Progressive Coalition Party in Calcutta;

(*b*) whether hitherto any travelling allowance was allowed to any member for attending party meetings; and

(*c*) whether there is any precedent of such travelling allowance being allowed to party members for attending party meetings?"

In view of this, this motion offends against the rule of anticipation. It is a matter which will come before the House in the ordinary course of business in a question form. If, however, the answer to the question is found to be unsatisfactory, then that will be an occasion for a motion for adjournment. At present, I would ask the honourable member not to press the motion. The Hon'ble Chief Minister has said that there are precedents for granting travelling allowances to members in similar circumstances. The Leader of the Opposition will put questions and if the answers are satisfactory, there may not be an occasion for moving an adjournment motion. But if the answers are unsatisfactory, then alone there will be such an occasion, and there will be a chance of the motion being admitted. In that view of the matter, at this stage I do not think I should allow discussion of a motion of this kind and so I disallow it.

Khan Sahib ABUL QUASEM: May I put a simple question, Sir? May I enquire whether this question is going to be answered during this Session?

Mr. PRESIDENT: Yes.

Mr. HAMIDUL HUQ CHOWDHURY: Have you given your ruling, Sir? May I make a submission—under the rule of anticipation.....

Mr. PRESIDENT: Order, order. I have already given my ruling.

Panel of Chairmen.

Mr. PRESIDENT: Under rule 6 of the Bengal Legislative Council Procedure Rules, I nominate—

(1) Mr. Kamini Kumar Dutta,

(2) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,

(3) Mr. J. B. Ross, and

(4) Khan Bahadur Saiyed Muazzamuddin Hosain,

on the Panel of Chairmen for the current Session.

Committee of Privileges.

Mr. PRESIDENT: Under rule 120 of the Bengal Legislative Council Procedure Rules, a Committee of Privileges is to be constituted by election. Under Standing Order 19(2)(*i*), I therefore fix 1 p.m. on Saturday, the 19th September, 1942, as the last date for receiving nominations for the said committee.

Committee on Petitions.

Mr. PRESIDENT: Under rule 84 of the Bengal Legislative Council Procedure Rules I nominate—

The Deputy President (Chairman—*ex-officio*),
(1) Rai Keshab Chandra Banerjee Bahadur,
(2) Mr. Sachindra Narayan Sanyal,
(3) Khan Bahadur Ataur Rahman, and
(4) Khan Sahib Abul Quasem,

on the Committee on Petitions for the current financial year.

House Committee.

Mr. PRESIDENT: Under rule 122 of the Bengal Legislative Council Procedure Rules, I nominate—

The Deputy President (Chairman—*ex-officio*),
(1) Mrs. K. D'Rozario,
(2) Mr. R. W. N. Ferguson,
(3) Mr. Dhirendra Lal Barua,
(4) Rai Radhica Bhusan Roy Bahadur,
(5) Mr. Moazzemali Choudhury, and
(6) Mr. Ranajit Pal Choudhury,

on the House Committee for the current Session.

Library Committee.

Mr. PRESIDENT: Under rule 121 of the Bengal Legislative Council Procedure Rules, I nominate—

(1) Khan Bahadur Abdul Hamid Chowdhury,
(2) Dr. Kumud Sankar Ray,
(3) Mr. W. B. G. Laidlaw,
(4) Mr. Humayun Kabir,
(5) Mr. D. J. Cohen,
(6) Khan Bahadur Naziruddin Ahmad, and
(7) Mr. Kanai Lal Goswami,

on the Library Committee for the current financial year.

Governor-General's Assent to Bills.

Mr. PRESIDENT: I have now to inform the honourable members that the following Bills which were passed by both Chambers of the Bengal Legislature have been assented to by His Excellency the Governor-General under the provisions of section 76(*1*) of the Government of India Act, 1935, namely:—

(1) the Bengal Agricultural Debtors (Amendment) Bill, 1942, and
(2) the Bengal Touts Bill, 1942.

Governor's Assent to Bills.

Mr. PRESIDENT: I have also to inform the honourable members that the following Bills which were passed by both Chambers of the Bengal Legislature have been assented to by His Excellency the Governor under the provisions of section 75 of the Government of India Act, 1935, namely:—

(1) the Bengal Public Demands Recovery (Amendment) Bill, 1942,

(2) the Bengal Non-Agricultural Tenancy (Temporary Provisions) Extending Bill, 1942, and

(3) the Bengal Criminal Law (Industrial Areas) Amendment Bill, 1942.

Messages received from the Assembly.

The SECRETARY: Sir, the following messages have been received from the Bengal Legislative Assembly:—

"(1) The Bengal Legislative Assembly at its meeting held on the 27th March, 1942, agreed to the Bengal Non-Agricultural Tenancy (Temporary Provisions) Extending Bill, 1942, as passed by the Bengal Legislative Council, without any amendments.

S. J. HASHEMY,
Deputy Speaker,
Bengal Legislative Assembly.

(2) The Bengal Legislative Assembly at its meeting held on the 2nd April, 1942, agreed to the Bengal Criminal Law (Industrial Areas) Amendment Bill, 1942, as passed by the Bengal Legislative Council, without any amendments.

S. J. HASHEMY,
Deputy Speaker,
Bengal Legislative Assembly.

(3) The Bengal Legislative Assembly at its meeting held on the 27th March, 1942, agreed to the amendment made by the Bengal Legislative Council in the Bengal Touts Bill, 1940.

S. J. HASHEMY,
Deputy Speaker,
Bengal Legislative Assembly.

(4) The Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as passed by the Bengal Legislative Assembly at its meeting held on the 27th March, 1942, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

S. J. HASHEMY,
Deputy Speaker,
Bengal Legislative Assembly."

Sir, I herewith lay on the Table the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as passed by the Bengal Legislative Assembly at its meeting held on the 27th March, 1942.

Laying of the Bengal Turbulent Areas Ordinance, 1942.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, under section 88 of the Government of India Act, 1935, I beg to lay the Bengal Turbulent Areas Ordinance, 1942.

Governor's Message regarding Bengal Land Revenue Sales (Amendment) Bill, 1941.

(At this stage the Hon'ble President vacated the Chair.)

Mr. DEPUTY PRESIDENT: Order, order. I am now reading the Message of His Excellency the Governor under section 75, Government of India Act, 1935, regarding the Bengal Land Revenue Sales (Amendment) Bill, 1941. The message reads as follows:—

The Bengal Land Revenue Sales (Amendment) Bill, 1941, has been passed by both Chambers of the Bengal Legislature and has been presented to the Governor in accordance with section 75, Government of India Act, 1935. Having given my most careful attention to the Bill, I am of opinion that it is my duty to return it to the Legislature in accordance with the proviso to the said section and to request the Chambers to consider it in regard to the following points.

2. Sufficient attention does not appear to have been paid to the effect of the proposed new sections 37A and 37B upon the provisions of the existing section 27 of Act XI of 1859. The latter section provides that where the purchase money has been fully paid, a sale against which no appeal has been preferred shall become final on the 60th day after the date on which it took place; and under section 28 a certificate of sale is thereafter to be issued immediately, and possession is to be delivered under section 29. An application under the new section 37A may be rejected, and an appeal can be preferred against an order of rejection within 30 days of the date of the order. That date may be considerably more than 60 days from the date of the sale, and such an appeal is not an appeal against the sale itself. In order therefore to obviate the necessity for cancelling a certificate of sale already granted under section 28, and for the surrender of possession by a purchaser who has received possession, it is necessary to insert in the Bill itself an amendment of section 27 to provide that a sale shall not become final until any application under section 37A or any appeal under section 37B has been dismissed.

3. Secondly, the Bill does not clearly specify whether the provisions of the proposed new sections 37A and 37B override those of section 6. Administrative difficulty is likely to arise unless this lacuna is filled, and as the intention of the Bill appears to be that the provisions of section 6 should in fact be read as being subject to those of sections 37A and 37B, it is necessary to make this intention clear by an amendment.

4. After due consideration, therefore, I have decided to recommend to the Bengal Legislative Chambers that the Bill be amended in the manner stated in the following recommendation, and I appoint the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department, to be the Member in charge of the Bill.

5. In pursuance of the provisions of the proviso to section 75 of the Government of India Act, 1935, I, John Arthur Herbert, Governor of Bengal, do recommend to the Bengal Legislative Chambers that they do amend the Bengal Land Revenue Sales (Amendment) Bill, 1941, by the adoption, without further amendments, of the following amendments, that is to say,—

(*1*) After clause 1 of the Bill the following clause shall be inserted, namely:—

"1A. In section 27 of the Bengal Land Revenue Sales Act, 1859 (hereinafter referred to as the said Act):—

(*a*) after the words 'no appeal shall have been preferred' the words, figures, letters and brackets 'or in respect of which no application under section 37A has been made or in respect of which no appeal under sub-section (*3*) of section 37B has been preferred' shall be inserted;

(*b*) after the words 'dismissed by the Commissioner' the words, figures, letters and brackets 'or in respect of which an application under section 37A may have been made or an appeal under sub-section (*3*) of section 37B may have been preferred and such application or appeal has been dismissed' shall be inserted."

(*2*) In clause 2 of the Bill—

(*a*) for the words and figures "Bengal Land Revenue Sales Act, 1859" the words "said Act" shall be substituted,

(*b*) in sub-section (*1*) of section 37B proposed to be inserted after section 37 of the Bengal Land Revenue Sales Act, 1859, before words, figures and letter "Where the deposit required by section 37A" the words "Notwithstanding anything contained elsewhere in this Act" shall be inserted.

J. A. HERBERT,

Governor of Bengal.

The 26th February, 1942.

Message from the Legislative Assembly regarding Governor's Message.

Mr. DEPUTY PRESIDENT: I now proceed to read the message from the Legislative Assembly. It is as follows:—

The Bengal Legislative Assembly at its meeting held on the 27th March, 1942, considered the message from His Excellency the Governor under the proviso to section 75 of the Government of India Act, 1935, and

agreed to the following amendments to the Bengal Land Revenue Sales (Amendment) Bill, 1941, recommended therein by His Excellency. The concurrence of the Bengal Legislative Council to this decision of the Legislative Assembly with regard to the adoption of these amendments is requested, namely that:—

(*1*) After clause 1 of the Bill the following clause shall be inserted, namely:—

"1A. In section 27 of the Bengal Land Revenue Sales Act, 1859 (hereinafter referred to as the said Act):—

(*a*) after the words 'no appeal shall have been preferred' the words, figures, letters and brackets 'or in respect of which no application under section 37A has been made or in respect of which no appeal under sub-section (*3*) of section 37B has been preferred' shall be inserted;

(*b*) after the words 'dismissed by the Commissioner' the words, figures, letters and brackets 'or in respect of which an application under section 37A may have been made or an appeal under sub-section (*3*) of section 37B may have been preferred and such application or appeal has been dismissed' shall be inserted."

(*2*) In clause 2 of the Bill—

(*a*) for the words and figures "Bengal Land Revenue Sales Act, 1859" the words "said Act" shall be substituted,——

(At this stage some Assembly members entered the Chamber through the eastern door.)

Mr. HAMIDUL HUQ CHOWDHURY: Sir, there are outsiders in this House.

Mr. DEPUTY PRESIDENT (continuing): Order, order. Let me finish the message:—

(*b*) in sub-section (*1*) of section 37B proposed to be inserted after section 37 of the Bengal Land Revenue Sales Act, 1859, before the words, figures and letter "Where the deposit required by section 37A" the words "Notwithstanding anything contained elsewhere in this Act" shall be inserted.

Mr. HAMIDUL HUQ CHOWDHURY: May I again draw your attention to the fact that some strangers have entered our Chamber?

Mr. DEPUTY PRESIDENT: Order, order. I am not transacting any business now.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, in such a case the Government of India Act provides that if there is any outsider, that is, a person who is not a member of the House or who is not an official of the Council, in the Chamber, then such person may be fined to the extent of rupees five hundred.

Mr. DEPUTY PRESIDENT: The House now stands adjourned till 2-15 p.m. on Thursday, the 17th September.

Adjournment.

The Council then adjourned till 2-15 p.m. on Thursday, the 17th September, 1942.

Members absent.

The following members were absent from the meeting held on the 15th September, 1942:—

(1) Mr. Altaf Ali.
(2) Mr. Srish Chandra Chakraverti.
(3) Mr. Bankim Chandra Datta.
(4) Mr. Narendra Chandra Datta.
(5) Mr. Kamini Kumar Dutta.
(6) Mr. Kanai Lal Goswami.
(7) Mr. Mohamed Hossain.
(8) Khan Bahadur Syed Muhammad Ghaziul Huq.
(9) Maulana Muhammad Akrum Khan.
(10) Mr. W. B. G. Laidlaw.
(11) Sir T. Lamb.
(12) Mr. J. McFarlane.
(13) Dr. K. S. Ray.
(14) Rai Sahib J. M. Sen.
(15) Mr. J. B. Ross.
(16) Khan Bahadur M. Shamsuzzoha.

B. G. Press—1942-43—6896A—750.

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 2.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 17th September, 1942, at 2-15 p.m., being the second day of the Second Session of 1942, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Mr. SATYENDRA CHANDRA MITRA) was in the Chair.

Obituary Reference.

Mr. PRESIDENT: Honourable members of the Council: Before taking up the Order Paper of the day, the Chair deeply regrets to announce the death of Mr. Hirendra Nath Datta, one of the most illustrious sons of Bengal, which occurred yesterday at his Calcutta residence. An eminent man of letters, a renowned philosopher and an ardent nationalist, Mr. Datta occupied a unique position in the social and cultural life of this province for nearly half a century.

After a uniformly brilliant academic career in the University, Mr. Datta was enrolled as a Solicitor of the Calcutta High Court where he practised with conspicuous success. But although his achievements in these spheres were remarkable enough, yet it is for his indefatigable and inestimable contributions in the domain of Bengali literature as well as in the cause of Indian nationalism that his memory will be cherished by his admiring countrymen.

Quite early in his public life, Mr. Datta felt the need for reconstructing the Indian nation on the basis of self-help and self-realisation, and employed his undoubted talents to this end without allowing himself to be engrossed in the more spectacular aspects of national service which would have earned him cheap plaudits from the public. He was one of the founders of the National Council of Education which was designed to serve as a means of turning out sturdy and self-reliant youths imbued with the ideals of nationalism and spirit of service of the masses. I had had opportunities of coming into very close contact with him in connection with the affairs of this institution, and I can personally testify that it was to his untiring efforts mainly that it owes its present development as a College of Engineering and Technology, enjoying a unique status and recognition all over India and abroad.

Another institution which had attracted his single-minded devotion was the Bangiya Sahitya Parishad. His resourcefulness and rich contributions during its earlier stages played no inconsiderable part in helping this

institution to attain its present position as a medium of national regeneration. His interpretation of the neo-romantic literature, his learned books on the various intricate aspects of Indian philosophy and religion constitute priceless gifts to Bengali literature.

In politics, Mr. Datta belonged to the more advanced nationalist school and will be remembered for the leading part he took in the Home Rule Movement of Mrs. Annie Besant. Latterly, however, he had practically retired from active politics. During the last few years of his life, his interest centred principally round philosophical researches which are specimens of his monumental scholarship. Indeed, in the noble but very difficult task of unfolding the truth and beauty underlying the ancient civilisation of India, he had hardly any rival in modern Bengal.

In private life Mr. Datta was singularly unassuming and modest and always tried to avoid the limelight. He was a typical example of the cultured Bengalee of the old school whose rank is getting thinner day by day.

Bengal is undoubtedly the poorer today by the death of this illustrious son of hers and the void which it has created in her public life will be difficult to fill up.

May his soul rest in peace!

The Chair desires the honourable members to rise in their places as a mark of respect to the memory of the deceased.

(After the members rose.)

The sincere condolences of the House will be conveyed to the members of the bereaved family.

QUESTIONS AND ANSWERS

Questions with replies which remained unanswered during the First Session, 1942.

The Bengal Children Act, 1922.

41. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) to what areas and districts in Bengal the Bengal Children Act of 1922 has been extended up to 30th October, 1941;

(*b*) how many industrial and reformatory schools have been established under sub-section (*1*) of section 6 of the Bengal Children Act, 1922; and

(*c*) how many young offenders were detained in these schools during the years 1937, 1938, 1939 and 1940, respectively?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) Except a few sub-sections of sections 27 and 28, the Bengal Children Act, 1922, at present extends to the town of

Calcutta, the suburbs and the port of Calcutta, the Municipality of Howrah, the police-stations of Bally, Jagacha, Sankrail and Domjur in the district of Howrah and the police-stations of Baranagar, Barrackpore, Tittagarh, Noapara, Khardah, Naihati and Jagatdal in the district of 24-Parganas.

(*b*) The only institutions that have been established under sub-section (*1*) of section 6 of the Bengal Children Act are the Reformatory and Industrial Schools at Alipore.

(*c*) The number of young offenders detained in these schools is—

1937	...	...	...	... 273
1938	...	...	...	... 277
1939	...	...	...	... 269
1940	...	...	...	... 250

42. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) how many schools have been certified under sub-section (*2*) of section 6 of the Bengal Children Act of 1922;

(*b*) how many children and young offenders were detained (*i*) in the Government certified schools, and (*ii*) in private certified schools in 1937, 1938, 1939, 1940 and 1941;

(*c*) what expenditures were incurred by the Government of Bengal during these years for the Government certified schools and the private certified schools;

(*d*) whether it is a fact that the number of the private certified schools in Bengal is very small and the number of children and young offenders detained therein is also small; and

(*e*) if so, whether the Government propose to certify more private schools under sub-section (*2*) of section 6 of the Bengal Children Act, 1922; if not, why not?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) The Salvation Army Women's Industrial Home, Behala, is the only institution certified under section 6 (*2*) of the Bengal Children Act. There are six private institutions recognised by Government under section 28 of the Act—

(1) The Gobinda Kumar Home, Pannihati.

(2) The Salvation Army Women's Industrial Home, Behala.

(3) The Fendall Home, Calcutta.

(4) The Society for the Protection of Children in India, Calcutta.

(5) The All-Bengal Women's Industrial Union.

(6) The Calcutta Homeless Boys' Home.

(*b*) and (*c*) A statement is laid on the Table. Figures for 1941 are being collected.

(*d*) Yes.

(*e*) No, because of lack of funds.

Statement referred to in reply to question No. 42.

Name of private institution.	Number of young offenders detained in				Expenditure met by Government in							
	1937.	1938.	1939.	1940.	1937.		1938.		1939.		1940.	
					Rs.	a. p.	Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
1. The Gobinda Kumar Home, Pannihati.	80	90	81	79	10,860	6 8	8,008	0 0	8,174	13 0	9,370	15 0
2. The Salvation Army Women's Industrial Home, Behala.	74·66	77	82	73	4,266	5 0	4,022	0 0	3,854	0 0	3,482	4 0
3. Fendall Home, Calcutta ..	47	51	90	100	960	0 0	960	0 0	960	0 0	960	0 0
4. The Society for the Protection of Children in India, Calcutta.	211	234	218	251	1,600	0 0	1,600	0 0	1,600	0 0	1,600	0 0
5. The All-Bengal Women's Industrial Union.	20	23	18	17	2,034	9 0	1,028	11 3	990	0 0	1,111	11 0
6. *The Calcutta Homeless Boys' Home.	..	..	..	..	..		..		..		..	

*This institution was recognised by Government in 1941.

43. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) to what areas and districts in Bengal, the Bengal Children Act, 1922, has been extended up to 1941;

(*b*) whether it has been extended to Dacca and Chittagong; and

(*c*) if not, whether the Government propose to extend it to Chittagong without further delay; if not, why not?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Except a few sub-sections of sections 27 and 28, the Bengal Children Act, 1922, at present extends to the town of Calcutta, the suburbs and the port of Calcutta, the Municipality of Howrah, the police-stations of Bally, Jagacha, Sankrail and Domjur in the district of Howrah and the police-stations of Baranagar, Barrackpore, Tittagarh, Noapara, Khardah, Naihati and Jagatdal in the district of 24-Parganas.

(*b*) and (*c*) No, because of lack of funds.

Arrest of Mr. Fazlul Quader Chowdhury.

44. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Home Department be pleased to state the circumstances under which Maulvi Fazlul Quader Chowdhury, a Law student, was arrested at Laksam in the first week of January last, and the offence with which he has been charged?

The Hon'ble Mr. A. K. FAZLUL HUQ: He was arrested at Laksam on requisition by the Superintendent of Police, Faridpur, and charged with an offence under the Defence of India Rule 38 (prejudicial speech) committed in Faridpur.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Was there any trial in that case, and with what result?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot say. Perhaps he was let out.

Mr. Sarat Chandra Bose, M.L.A.

45. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state what steps have so far been taken by the Government of Bengal to get Mr. Sarat Chandra Bose, M.L.A., released, or in the alternative, to move proper authorities to have his case placed before Court giving him an opportunity of being heard and defended?

(*b*) Is it a fact that Mr. Bose is suffering from illness and many inconveniences in the Trichinopoly Jail?

(*c*) What steps have so far been taken by the Government to get him, pending his release, repatriated to Bengal or to some other healthy station near Bengal suited to him and also to his family members, friends and relations to see him from time to time and to secure for his family members an adequate allowance?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) A representation was made to the Government of India by myself and my colleagues to reconsider their decision regarding Mr. Sarat Chandra Bose.

(*b*) No.

(*c*) Several representations on these points have been made to the Government of India by the Council of Ministers collectively and by my colleagues.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state in which jail Mr. Bose is now lodged?

The Hon'ble Mr. A. K. FAZLUL HUQ: He is not in jail.

Mr. LALIT CHANDRA DAS: Where is he detained?

The Hon'ble Mr. A. K. FAZLUL HUQ: Mercara, in Coorg.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state what is the present state of the health of Mr. Bose? Is it a fact that he is very ill?

The Hon'ble Mr. A. K. FAZLUL HUQ: The Home Member of the Government of India gave a reply in the Central Legislature which has been published in the newspapers today. I cannot say anything further.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to make an enquiry as regards the health of Mr. Bose?

The Hon'ble Mr. A. K. FAZLUL HUQ: Certainly.

Sir BIJOY PRASAD SINGH ROY: With reference to answer (*a*), what does the Hon'ble Minister mean by "myself and my colleagues"? Have they made these representations in their personal capacity or as members of Government?

The Hon'ble Mr. A. K. FAZLUL HUQ: I think sub-clause (*c*) gives the answer.

Sir BIJOY PRASAD SINGH ROY: Do the words "Council of Ministers" mean the Government of Bengal?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot throw more light than what I can find from the Government of India Act, 1935, and my honourable friend is personally aware what the "Council of Ministers" is. "Council of Ministers" is a body of men to advise the Governor in the administration of the province.

Sir BIJOY PRASAD SINGH ROY: May I infer that the Bengal Government as such were not concerned with these representations?

Mr. HAMIDUL HUQ CHOWDHURY: Has the Government of Bengal made a distinction between the Council of Ministers and Bengal Government, because the question was not taken up by the Bengal Government? There is a distinction between "Council of Ministers" and "Government of Bengal" in the Act.

The Hon'ble Mr. A. K. FAZLUL HUQ: The honourable member who put the question put it as the "Government of Bengal" and I, therefore, thought that the proper answer would be to say "Council of Ministers".

Mr. Ashrafaddin Chowdhury.

46. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state the circumstances which led to the issue of orders of restraint under the Defence of India Rules on (1) Mr. Ashrafaddin Chowdhury, formerly Secretary, Bengal Provincial Congress Committee, and (2) Mr. Ashu Singh, Secretary, Forward Bloc, both of Comilla, restricting their movements there, and on Mr. Abdul Malek also of Comilla, President of the Krishak Proja Party, externing him from Calcutta?

(*b*) Does the Hon'ble Minister propose to take steps to revise the orders and remove the order of restraint on them?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) For activities which were considered to be prejudicial to public order by the local officers in respect of (1) and (2) and by Government in respect of Mr. Abdul Malek.

(*b*) Order of restriction against Mr. Abdul Malek has been withdrawn, that against Maulvi Ashrafuddin Ahmed Chowdhury has been temporarily suspended.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether these men are under detention under the operation of the Defence of India Rules?

The Hon'ble Mr. A. K. FAZLUL HUQ: As far as I am aware, they are not under detention.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state if Mr. Ashrafuddin Ahmed Chowdhury is in jail or outside?

The Hon'ble Mr. A. K. FAZLUL HUQ: I want notice. My information is that he is not in jail.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to make an enquiry into the matter and find out the whereabouts of the person?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether Mr. Ashu Singh, the Secretary of the Forward Bloc, is in jail? A general answer was given that they were not in jail, but I am putting the question separately as to whether Ashu Singh was in jail or in detention.

The Hon'ble Mr. A. K. FAZLUL HUQ: I shall make an enquiry: I cannot give any reply off-hand.

Mr. LALIT CHANDRA DAS: May I know when this question was received by the Hon'ble Minister?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not remember the date.

Criminal appeal No. 370 of 1940.

47. Rai BROJENDRA MOHAN MAITRA Bahadur: (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to state who were the accused in the case out of which arose criminal appeal No. 370 of 1940 before the Hon'ble High Court of Calcutta? What were in short the facts of the offence and against whom and at what place and district was the offence committed? When was the appeal disposed of by the Hon'ble High Court and with what result?

(*b*) Who was the Deputy Legal Remembrancer of the Calcutta High Court at the time of the hearing of the appeal referred to in part (*a*)? Did he appear for the Crown in that appeal? If not, why not? Who appeared at the hearing on behalf of the accused in that appeal?

(*c*) Is it a fact that the Deputy Legal Remembrancer refrained from appearing on behalf of the Crown and appeared on behalf of the accused though the Crown was one of the parties in the said case?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) In criminal appeal No. 370 of 1940 amongst 12 accused persons, three (Imanaddi, Golap Khan and Jaynaddi) filed appeal to the High Court against their conviction and sentence under section 395, Indian Penal Code, by the Additional Sessions Judge of Khulna on the 26th April, 1940. The application was summarily dismissed by Bartley and Roxburgh, JJ., on the 11th July, 1940.

(*b*) Mr. D. N. Bhattacharji was acting as the Deputy Legal Remembrancer at the time of hearing of the appeal. As the appeal was summarily dismissed the question of appearance for the Crown did not arise. Mr. C. F. Ali, Advocate, represented the petitioners.

(*c*) No.

Co-operative Societies.

48. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*a*) what steps do the Government propose to take for reducing the heavy arrear dues of the co-operative societies;

(*b*) what is the total amount of arrear dues and what portion of it has been reported by the local officers as irrecoverable;

(*c*) whether any orders have been issued for writing off the irrecoverable arrears;

(*d*) what steps have been taken to resuscitate moribund co-operative banks;

(*e*) what is the number of such banks and their aggregate capital;

(*f*) what percentage of agricultural debt is dealt with by the co-operative banks; and

(*g*) how the Government propose to tackle the entire agricultural credit problem?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Hashem Ali Khan): (*a*) Facilities have been provided for the settlement of the debts by starting a large number of Co-operative Debt Settlement Boards.

(*b*) The overdue principal from the members to the agricultural credit societies amounts approximately to Rs.331·94 lakhs.

The amount of irrecoverable debt will depend upon the amount to which the debts of the members may be reduced by the Debt Settlement Boards when the members approach them.

(*c*) As the money belongs to the depositors, Government have no authority to issue an order for the writing off of any arrears.

(*d*) The following steps have been taken:—

(*i*) Issue of a large amount of crop loan through the Co-operative Societies.

(*ii*) Establishment of Co-operative Debt Settlement Boards which will settle the debts of the members and would thereby stimulate repayment.

(*e*) The information will not be available till the debt of each member is examined.

(*f*) Accurate figures of the total agricultural debts in the Province are not available.

(*g*) Government are issuing large amounts of crop loan to meet the requirements of the cultivators for cultivation purposes. The question of taking other measures as may be found necessary and possible, will receive due consideration of Government at the proper time.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Is the Hon'ble Minister aware that a sub-committee was appointed by the late Ministry for making recommendations for the improvement of the condition of moribund banks? If so, was any action taken on their recommendation?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I am sorry I am not aware of any such report: I want notice.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister kindly enquire if there was any such report by the sub-committee?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Certainly.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister be pleased to state the approximate figure of the total agricultural debt of the province? The Hon'ble Minister has stated that accurate figures of the total agricultural debt are not available. But can he give us any idea of the approximate figure of the total agricultural debt in this province?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Without notice I am unable to do that.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With reference to (*g*), are the crop loans issued in ordinary times or only in times of distress?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Yes, in ordinary times also, that is, at the time of cultivation, transplantation, etc. If there is actual necessity for any loan by a cultivator, then such loan is always issued.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister be pleased to state what amount was distributed last year?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Last year about Rs. 44½ lakhs or a little more than that were distributed.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister be pleased to state if this crop loan is confined to members of the co-operative societies or to other cultivators also?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Members of the co-operative rural societies as well as members of the new crop loan societies.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: May I know what percentage of agricultural population is covered by the members of the co-operative societies of the province?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Without notice I cannot say—I want notice.

Questions tabled for the Current Session and answers thereto.

Chairman of the Bakarganj District Board.

3. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether the Hon'ble Minister, Khan Bahadur Hashem Ali Khan, is still the Chairman of Bakarganj District Board; and

(*b*) if the reply is in the affirmative, for how long during the last 8 months he stayed at Barisal and carried on the work of the Board?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) No.

(*b*) The question does not arise.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state when Khan Bahadur Maulvi Hashem Ali Khan resigned from the Chairmanship of the District Board of Bakarganj?

The Hon'ble Mr. SANTOSH KUMAR BASU: I think towards the end of July last.

Mr. HAMIDUL HUQ CHOWDHURY: Was he acting as Chairman all this time from December, 1941?

The Hon'ble Mr. SANTOSH KUMAR BASU: There were two Vice-Chairmen and although he was Chairman, the work was being carried on by the Vice-Chairmen.

Mr. HAMIDUL HUQ CHOWDHURY: Was it a proper course for the Hon'ble Minister to continue as Chairman for such a long time after he became a Minister?

Mr. PRESIDENT: Order, order. That is a matter of opinion.

Khan Sahib Maulvi ABUL QUASEM: Will the Hon'ble Minister be pleased to state why the Hon'ble Mr. Hashem Ali refrained from sending in his resignation till the month of July after having been appointed a Minister of the Government of Bengal?

The Hon'ble Mr. SANTOSH KUMAR BASU: I want notice.

Chairman of the Bogra District Board.

4. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state why the members of the Bogra District Board were denied the right of electing their Chairman on the resignation of Khan Bahadur Muhammad Ali Chowdhury?

(*b*) Why was one who was not even a member of the Board appointed as Chairman by the Government?

(*c*) What are the special qualifications of this gentleman for this appointment?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) When Khan Bahadur Muhammad Ali resigned his chairmanship of the Bogra District Board, Government had information that there were two strong parties in the said District Board almost equal in numerical strength and they were satisfied that the election of a Chairman from either party would not be in the best interest of the Board, as such a Chairman might find it difficult to carry out his duties without undue obstruction or hindrance. Hence Government decided to appoint a Chairman.

(*b*) Government were advised that the Bengal Local Self-Government Act contemplates that a Chairman appointed by Government should always be an outsider, i.e., a non-member.

(*c*) Mr. Altaf Ali, M.L.C., had served for several years as Chairman of the Bogra District Board and Government considered him to be quite suitable for this office.

Mr. HAMIDUL HUQ CHOWDHURY: Arising out of answer (*a*), will the Hon'ble Minister be pleased to disclose the source of his information that the parties were equally divided?

The Hon'ble Mr. SANTOSH KUMAR BASU: I got a representation signed by a number of members of the board themselves that they were anxious to support Mr. Altaf Ali and that showed that the number was almost equally divided.

Mr. HAMIDUL HUQ CHOWDHURY: Which was the other party that was not supporting Mr. Altaf Ali?

The Hon'ble Mr. SANTOSH KUMAR BASU: Those who had not signed the representation supporting Mr. Altaf Ali belonged to the other party.

Mr. HAMIDUL HUQ CHOWDHURY: Is this the information of the Hon'ble Minister or does he think that it is so?

The Hon'ble Mr. SANTOSH KUMAR BASU: I got a representation signed by the supporters of Mr. Altaf Ali. No representation signed by the supporters of the other candidate reached me.

Mr. HAMIDUL HUQ CHOWDHURY: Is that the only reason why Mr. Altaf Ali was appointed Chairman of the Bogra Municipality?

The Hon'ble Mr. SANTOSH KUMAR BASU: As I have said in my reply, the reason why a Chairman was appointed was that there were two strong parties in the district board almost equal in numerical strength.

Mr. HAMIDUL HUQ CHOWDHURY: Did the Hon'ble Minister find out whether these very party factions were there before in this board?

The Hon'ble Mr. SANTOSH KUMAR BASU: I did not consider it necessary to enquire.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, the Hon'ble Minister says that it would be difficult for the board to function if the Government were to appoint an elected chairman of the board; but did he enquire how far the party factions did affect the administration of the board?

The Hon'ble Mr. SANTOSH KUMAR BASU: From the conversation I had with one or two members of the opposite party, it appeared that the administration of the board could not possibly be plain-sailing and in the interest of the district board and the district itself it would not have been fair to have an elected chairman who might not have a good working majority. It would have been difficult for the elected chairman to carry on the administration properly.

Mr. HAMIDUL HUQ CHOWDHURY: Is it now the policy of Government to appoint an outsider to a district board where there are party factions?

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, as I have already said that due to party factions and due to the fact that the parties were so equally balanced, it would have been difficult for any elected chairman to carry on the administration without any undue obstruction or hindrance.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Was the opinion of the District Magistrate taken as to the respective strength of the parties?

The Hon'ble Mr. SANTOSH KUMAR BASU: Well, Sir, I did not consider it necessary when I had a written and signed representation of the members themselves.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Was the representation submitted from both sides, and what was the number of members who signed the representation from each side?

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I have already answered that question.

(At this stage several honourable members rose to put supplementary questions.)

Mr. PRESIDENT: Order, order. Let the Hon'ble the Leader of Opposition first put his supplementary questions.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, the Hon'ble Minister has not given any definite figure as to the strength of the respective parties.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I remember that a written representation was also shown to me by some members of the opposite party and from those two representations it appeared that out of 18 members, 8 members were actually supporting Mr. Altaf Ali and requesting that he should be appointed Chairman, and there was another member to be appointed by Government whose place was then vacant, and it could be expected that he too would support the appointed Chairman. So, there were 9 members against 9.

Mr. HAMIDUL HUQ CHOWDHURY: Is the information supplied to the Hon'ble Minister given by his department or has it just now been whispered to him by Mr. Altaf Ali?

The Hon'ble Mr. SANTOSH KUMAR BASU: I got this information from one of the elected members of the board.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state whether he has verified the signatures of the members to be genuine or not?

The Hon'ble Mr. SANTOSH KUMAR BASU: I had no reason to doubt the correctness or the genuineness of the signatures.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With reference to (*c*), is the Hon'ble Minister aware that Mr. Altaf Ali was declared insolvent for some time?

The Hon'ble Mr. SANTOSH KUMAR BASU: I have no information.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Is the Hon'ble Minister aware that due to bad management of his estate, he had to come away from Bogra and had to work in Calcutta for a very long time as an employee in a private firm?

The Hon'ble Mr. SANTOSH KUMAR BASU: May I submit that this question is wholly irrelevant?

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please state when the letter of withdrawal of the resignation of Khan Bahadur Muhammad Ali Chowdhury was received in the department concerned? That is, was it before or after the resignation was accepted? And why was the withdrawal of resignation not accepted?

The Hon'ble Mr. SANTOSH KUMAR BASU: Government was advised by its legal adviser that such withdrawal was not according to law.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that Mr. Altaf Ali is not even a voter in the district board?

The Hon'ble Mr. SANTOSH KUMAR BASU: It is not necessary that chairman appointed by Government should be a voter.

Mr. HAMIDUL HUQ CHOWDHURY: Does not the Hon'ble Minister consider that an elected chairman takes more interest in the affairs of the district board than an appointed chairman?

The Hon'ble Mr. SANTOSH KUMAR BASU: That may be so.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that the Act provides only for 18 members? So, the chairman appointed by Government is an addition to that number.

The Hon'ble Mr. SANTOSH KUMAR BASU: As I have already said, Government was advised that the chairman appointed by Government should always be an outsider, *i.e.*, a non-member.

Khan Sahib ABUL QUASEM: Will the Hon'ble Minister be pleased to state if it has become the practice with the present Government to anticipate troubles and quarrels amongst different parties in the district boards and in anticipation of the troubles to appoint chairmen thereby denying the members their statutory right of electing chairmen?

The Hon'ble Mr. SANTOSH KUMAR BASU: Am I to answer this question, Sir?

Mr. PRESIDENT: The honourable member wants to know the policy of the Government.

The Hon'ble Mr. SANTOSH KUMAR BASU: The Government in the discharge of their responsibilities have got to foresee event which probably the members of the Opposition are not expected to do.

Improvement of roads, etc.

5. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state how much have been spent from the contribution by the Central Government, and from the Provincial Government Fund (*i*) on improvement of roads and communications, (*ii*) on improvement and construction of bridges, (*iii*) on excavation of *khals* and navigable channels, and (*iv*) on irrigation works in the district of Chittagong?

(*b*) What are the schemes and projects on which the amounts mentioned in part (*a*) have been spent?

(*c*) What further irrigation scheme, improvement of roads and construction of bridge projects in Chittagong are still pending for allotment of necessary funds?

(*d*) Are any irrigation and other schemes for Chittagong still pending and have not been sanctioned as yet? If so, what are they?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Mr. Shamsuddin Ahmed): (*a*) and (*b*) As information is required to be collected for several years it will take time to do so. The information will be furnished as soon as it is ready.

(*c*) One project for constructing a bridge over the Sarta Khal for which Government have decided to make a contribution of Rs.73,000 out of the Motor Vehicles Tax Fund reserve and two irrigation projects, viz., (1) improvement of the Dhurung Khal and (2) re-excavation of the Hangar Khal estimated to cost Rs.26,367 and Rs.17,511, respectively, are pending for allotment of funds. These projects have been held in abeyance owing to abnormal situation created by the war.

(*d*) No other schemes are pending and awaiting the sanction of Government.

The Hon'ble Mr. SHAMSUDDIN AHMED: Sir, part (*d*) of the question has been put in a vague form. If my honourable friend gives me the year, I will answer the question.

Quinine plantation.

6. Khan Bahadur ATAUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state what is the total number of gazetted appointments in the quinine plantation?

(*b*) How many of them are Hindus and how many are Muslims?

(*c*) Has the appointment of Manager of the Quinine Sale Department already been made? If so, has it been given to a Hindu or a Muslim?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Upendra Nath Barman): (*a*) Eleven.

(*b*) Five Hindus. No Muslims.

(*c*) No. A Hindu has been appointed temporarily.

Khan Bahadur NAZIRUDDIN AHMAD: With regard to answer (*c*), was any attempt made to find out a suitable Muhammadan candidate?

The Hon'ble Mr. UPENDRA NATH BARMAN: The man has been appointed temporarily and Government have not come to a final decision as yet.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state if the post was advertised for?

The Hon'ble Mr. UPENDRA NATH BARMAN: The matter has not yet been finally decided and so the question does not arise.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister in finally deciding about the matter keep in mind the necessity of advertising the post?

The Hon'ble Mr. UPENDRA NATH BARMAN: I will bear that in mind.

Mr. HAMIDUL HUQ CHOWDHURY: Is it the policy of Government to appoint somebody to officiate for some time and then press his claim?

The Hon'ble Mr. SANTOSH KUMAR BASU: That was the policy of the last Government.

Mr. NARESH NATH MOOKERJEE: Will the Hon'ble Minister be pleased to state what is the nationality of the six other gazetted employees in this department who are non-Hindus?

The Hon'ble Mr. UPENDRA NATH BARMAN: They are all Europeans.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister be pleased to state as to how long this man has been acting as manager? This is with reference to answer (*c*).

The Hon'ble Mr. UPENDRA NATH BARMAN: For the last three or four months, I believe.

Khan Bahadur NAZIRUDDIN AHMAD: With reference to (*c*), what may be the expected duration of this temporary appointment?

Mr. HAMIDUL HUQ CHOWDHURY: Perhaps till a permanent appointment is made, or perhaps, what is better, till the man is himself appointed permanently.

The Hon'ble Mr. UPENDRA NATH BARMAN: I have nothing further to say, Sir.

Mr. NARESH NATH MOOKERJEE: Will the Hon'ble Minister be pleased to state what are the present arrangements of Government for the sale of quinine?

(SOME HONOURABLE MEMBERS: That question does not arise.)

I think, Sir, having regard to the fact that a manager is going to be appointed to take charge of the sale of quinine, I am entitled to ask what are the present arrangements for the sale of quinine.

(No answer.)

Application for leave of absence.

Mr. PRESIDENT: Order, order. The following application has been received from Mr. Narendra Chandra Datta, M.L.C., under sub-rule (*1*) of rule 7 of the Bengal Legislative Council Procedure Rules for permission of absence:—

"Owing to continued ill-health, I have not been able to attend the meetings of the Council. As far as I know, I have been absent for 43 days. I fear, my health will not permit me to attend the meetings of the Council

during the forthcoming short session, and I am therefore applying for leave of absence under section 7(*1*) of the Bengal Legislative Council Procedure Rules."

The question before the Council is that permission be granted to Mr. Narendra Chandra Dutta, M.L.C., for absence for a period of sixty days.

(The question was agreed to.)

Presentation of Appropriation Accounts, 1940-41, and Audit Report, 1942.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, on behalf of the Hon'ble the Finance Minister, I beg to present the Appropriation Accounts for 1940-41, and the Audit Report for 1942.

Khan Bahadur ABDUL HAMID CHOWDHURY: I rise on a point of order, Sir. Is any Minister other than the Finance Minister competent to present the Appropriation Accounts and the Audit Report?

Mr. PRESIDENT: The Deputy President is right; for under rule 109 of the Council Procedure Rules, "the Report of the Committee of Public Accounts on the accounts of the province and the Reports of the Auditor-General thereon shall be presented to the Council by the Finance Minister". I have received a letter from the Hon'ble the Finance Minister requesting the Chair's permission to allow the Hon'ble Mr. Santosh Kumar Basu to deal with any business standing in his name in to-day's Order Paper. I find, however, that in the Governor's Rules, the term "Finance Minister" has been defined as "the Minister appointed by the Governor to perform the functions of the Finance Minister under these rules or in his absence any Minister authorised by the Governor to perform such functions of such Minister". Therefore, if the Hon'ble Mr. Santosh Kumar Basu has been authorised by the Governor, I have no objection to his moving the motion standing in the name of the Hon'ble Finance Minister.

The Hon'ble Mr. SANTOSH KUMAR BASU: No, Sir. I have not been authorised by His Excellency exactly in this sense.

Mr. PRESIDENT: Then, I am afraid you cannot move this motion.

The Hon'ble Mr. SANTOSH KUMAR BASU: Very well, Sir, it may be left over till another day—as you please.

The Bengal Agricultural Debtors (Second Amendment) Bill, 1942.

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I beg to move that the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as passed by the Bengal Legislative Assembly, be taken into consideration.

Mr. PRESIDENT: The question before the House is that the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as passed by the Bengal Legislative Assembly, be taken into consideration.

(The motion was agreed to.)

Mr. PRESIDENT: It is a very small Bill: so if there is no objection, I can take up the Bill, clause by clause, now.

Khan Bahadur NAZIRUDDIN AHMAD: Yes, Sir. It is a very small Bill and is of a very formal character. As there is no objection, I take it——

Mr. MESHBAHUDDIN AHMED: Sir, I object.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, it is a very simple Bill. I may draw the attention of the honourable members that the life of the original Act was only five years and this period is due to expire very soon in many cases. We have recently given the Debt Settlement Boards wider powers; and if the life of this Bill is not extended, the boards will not be able to exercise their new beneficial powers and consequently the poor debtors will suffer. So, I submit that this simple Bill may be taken up for consideration and I hope my friends on the Opposition will not press their objection.

Mr. MESHBAHUDDIN AHMED: All right, Sir, I withdraw my objection.

Clause 1.

Mr. PRESIDENT: Clause 1 stand part of the Bill.

Mr. PRESIDENT: The question before the House is that clause 1 stand part of the Bill.

(The motion was agreed to.)

Clause 2.

Mr. PRESIDENT: Clause 2 stand part of the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: I beg to move that in clause 2 of the Bill, after the figure "1935" appearing in line 2, the following brackets and words be inserted:—

"(hereinafter referred to as the said Act)".

Sir, this is absolutely a formal amendment and may be accepted.

Mr. PRESIDENT: The question before the House is that in clause 2 of the Bill, after the figure "1935" appearing in line 2, the following brackets and words be inserted:—

"(hereinafter referred to as the said Act)".

(The amendment was agreed to.)

Mr. PRESIDENT: The question before the House is that clause 2 as amended stand part of the Bill.

(The motion was agreed to.)

Clause 3.

Khan Bahadur NAZIRUDDIN AHMAD: I beg to move that after clause 2 of the Bill, the following new clause be added:—

"3. In sub-section (2) of section 37A of the said Act, for the words 'five years' the words 'seven years' shall be substituted."

Sir, it is necessary to explain the position. This section 37A had not become an Act by the time the Bill was passed by the Assembly. This section 37A has been added later on; so this is a consequential amendment just to substitute the words "five years" by "seven years" in order to make the Bill complete. It is merely a formal amendment.

Mr. PRESIDENT: The question before the House is that after clause 2 (2) of the Bill, the following new clause be added:—

"3. In sub-section (2) of section 37A of the said Act, for the words 'five years' the words 'seven years' shall be substituted."

(The amendment was agreed to.)

Mr. PRESIDENT: The question before the House is that the short title and preamble of the Bill stand part of the Bill.

(The motion was agreed to.)

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Sir, I beg to move that the Bill, as settled in the Council, be passed.

Mr. PRESIDENT: The question before the House is that the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as settled in the Council, be passed.

(At this stage several honourable members raised objection to this motion being taken up.)

If there is any objection, I shall not allow the motion for Third Reading of this Bill to be discussed today.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I want to make one observation in connection with this Bill which is just going to be passed. We thought that there would be no amendment at all and that this Bill would not be sent back again to the Assembly with our amendments. Now I find that there have been amendments at the instance of the supporters of the Ministry. Had we known this previously, we could also have sent in amendments. The Bill is, of course, a beneficial measure and that is the reason why we agreed to its being taken up today without attempting to defer its consideration on technical grounds. If we knew that amendments would be moved, we could also have moved amendments proposing to extend its life for another five years instead of for only two years as proposed in the Bill. However, Sir, I do not want to stand in the way of this Bill being passed. We——

Mr. PRESIDENT: Order, order. If there is any objection to this motion, I shall not take it up. Do I take it that there is objection?

Mr. MESBAHUDDIN AHMED: Yes, Sir, I object.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, may I again draw the attention of my honourable friends opposite to another important aspect of the thing? It is essential that this Bill should be passed this Session. It is awaiting the final assent of His Excellency the Governor. This Session is a very short one and if it is to be passed this Session, my honourable friend should reconsider his decision and waive his objection. Unless he waives his objection, the Third Reading of the Bill cannot be proceeded with.

Mr. PRESIDENT: This motion was originally proposed to be taken up on the 21st September next, but as the Bill was a short one and there were few amendments, I was ready to allow the Bill to be passed. If the honourable members stick to their objection, then I have no other alternative but to disallow the present motion. Mr. Mesbahuddin Ahmed, do you stick to your objection?

Mr. MESBAHUDDIN AHMED: Yes, Sir.

Mr. PRESIDENT: Then I shall not allow this motion to be moved.

The House will now take up the Bengal Land Revenue Sales (Amendment) Bill, 1941.

The Bengal Land Revenue Sales (Amendment) Bill, 1941.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, I beg to move that the recommendations of His Excellency the Governor contained in his message in respect of the Bengal Land Revenue Sales (Amendment) Bill, 1941, be considered in detail. Sir, the following amendments have been recommended by His Excellency the Governor under section 75 of the Government of India Act, 1935:-

(1) After clause 1 of the Bill the following clause shall be inserted, namely:—

"1A. In section 27 of the Bengal Land Revenue Sales Act, 1859 (hereinafter referred to as the said Act):—

(*a*) after the words 'no appeal shall have been preferred' the words figures, letters and brackets 'or in respect of which no application under section 37A has been made or in respect of which no appeal under sub-section (3) of section 37B has been preferred' shall be inserted;

(*b*) after the words 'dismissed by the Commissioner' the words, figures, letters and brackets 'or in respect of which an application under section 37A may have been made or an appeal under sub-section (3) of section 37B may have been preferred and such application or appeal has been dismissed' shall be inserted."

(*2*) In clause 2 of the Bill—

(*a*) for the words and figures "Bengal Land Revenue Sales Act, 1859" the words "said Act" shall be substituted,

(*b*) in sub-section (*1*) of section 37B proposed to be inserted after section 37 of the Bengal Land Revenue Sales Act, 1859, before the words, figures and letter "where the deposit required by section 37A" the words "notwithstanding anything contained elsewhere in this Act" shall be inserted.

Sir, the reasons for the proposed message have been set out by a message from His Excellency the Governor under section 75 of the Government of India Act, 1935, a message which Mr. Deputy President very graciously placed before the House before an invasion of the House was made.

Mr. PRESIDENT: Amendment moved that:

(*1*) After clause 1 of the Bill the following clause shall be inserted, namely:—

"1A. In section 27 of the Bengal Land Revenue Sales Act, 1859 (hereinafter referred to as the said Act):—

(*a*) after the words 'no appeal shall have been preferred' the words, figures, letters and brackets 'or in respect of which no application under section 37A has been made or in respect of which no appeal under sub-section (*3*) of section 37B has been preferred' shall be inserted;

(*b*) after the words 'dismissed by the Commissioner' the words, figures, letters and brackets 'or in respect of which an application under section 37A may have been made or an appeal under sub-section (*3*) of section 37B may have been preferred and such application or appeal has been dismissed' shall be inserted."

(*2*) In clause 2 of the Bill—

(*a*) for the words and figures "Bengal Land Revenue Sales Act, 1859," the words "said Act" shall be substituted;

(*b*) in sub-section (*1*) of section 37B proposed to be inserted after section 37 of the Bengal Land Revenue Sales Act, 1859, before the words, figures and letter "Where the deposit required by section 37A" the words "Notwithstanding anything contained elsewhere in this Act" shall be inserted.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I rise to support the motion. The original Bill, which was passed by both the Houses, has disclosed some lacunae. Sir, the proposed amendment (*a*) is consequential upon the previous. With regard to (*b*) in number (*2*), there is possibility of a clash between the Bill and section 6. In order to remove all possible doubts, this amendment has been suggested. The lacunae were over-looked

by the House on the last occasion. This was a very simple and innocent-looking Bill and so this House did not carefully scrutinise all its provisions and compare them with those of the present Act. We are very grateful to His Excellency the Governor for sending the Bill back with his recommendation for amendments. I think these amendments are very necessary and will remove the lacunae and greatly improve the Bill. In these circumstances, I have much pleasure in supporting the amendments suggested by His Excellency.

Mr. PRESIDENT: The question before the House is that—

(*1*) After clause 1 of the Bill the following clause shall be inserted, namely,—

"1A. In section 27 of the Bengal Land Revenue Sales Act, 1859, (hereinafter referred to as the 'said Act'):—

(*a*) after the words 'no appeal shall have been preferred' the words, figures, letters and brackets 'or in respect of which no application under section 37A has been made or in respect of which no appeal under sub-section (*3*) of section 37B has been preferred' shall be inserted;

(*b*) after the words 'dismissed by the Commissioner' the words, figures, letters and brackets 'or in respect of which an application under section 37A may have been made or an appeal under sub-section (*3*) of section 37B may have been preferred and such application or appeal has been dismissed' shall be inserted."

(*2*) In clause 2 of the Bill—

(*a*) for the words and figures "Bengal Land Revenue Sales Act, 1859," the words "said Act" shall be substituted;

(*b*) in sub-section (*1*) of section 37B proposed to be inserted after section 37 of the Bengal Land Revenue Sales Act, 1859, before the words, figures and letter "where the deposit required by section 37A" the words "Notwithstanding anything contained elsewhere in this Act" shall be inserted.

(The motion was agreed to.)

Statement regarding General Situation in the Province.

The Hon'ble Mr. A. K. FAZLUL HAQ: Sir, it is now my privilege, with your leave, to make a statement before the House regarding the various developments that have taken place in the general situation of this province since we last met. I request, Sir, that as I am not well, my colleague, the Hon'ble Mr. Burman, may be permitted to read the statement.

Mr. PRESIDENT: All right.

The Hon'ble Mr. UPENDRA NATH BARMAN: Mr. President, Ladies and Gentlemen: I take this opportunity of placing before you a short resumé of the events that have taken place in the administration of this Province since we last met for our Budget discussion. Before I make my statement today, I wish to offer an introductory remark. You have all had the privilege of listening to the address of His Excellency the Governor delivered at the Joint Session of the Legislature on Monday last——

Sir BIJOY PRASAD SINGH ROY: On a point of order, Sir. It is very difficult to follow the Hon'ble Minister who has been reading out the speech of the Hon'ble the Chief Minister. Will you kindly order that copies of the statement be circulated to us?

Mr. PRESIDENT: Yes, they will be circulated.

Sir BIJOY PRASAD SINGH ROY: It is not possible to have copies of the statement circulated now?

Mr. PRESIDENT: All right. Copies of the statement of the Hon'ble Chief Minister will be circulated to the honourable members now, although the usual practice is to circulate such copies after its delivery.

Sir BIJOY PRASAD SINGH ROY: I think, Sir, if it is circulated now, we shall be in a better position to follow the statement.

Maulvi ABUL QUASEM: Sir, is it necessary that the statement should be read out at all, since we are going to have a copy?

Mr. PRESIDENT: Order, order. Perhaps the honourable member has not heard that the Premier told me that he was indisposed and therefore he asked my permission to allow Mr. Barman to read out his speech.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, in that case, cannot the reading of the speech be postponed till tomorrow?

The Hon'ble Mr. UPENDRA NATH BARMAN: As you are aware, it is not open to any member of the Legislature to raise a debate on any statement made by the Governor. At the same time it is felt that it is of the utmost importance that the representatives of the people in legislature assembled should have an opportunity of expressing their views of the measures that have been adopted for the safety of the country and its peoples from the point of view of their adequacy or otherwise. We have, therefore, decided that I should make a statement today covering practically the field traversed by His Excellency in order that members may have an opportunity of offering any criticisms which they think desirable and necessary. I am afraid repetitions will, in the circumstances, be inevitable; the more so, because I have not had the opportunity of previously acquainting myself with what His Excellency was going to say. The honourable members will, I hope, forgive me if I have to take up the time of the House by making a statement which might otherwise have appeared to be unnecessary.

With your leave, I give below a short account of the various activities of this Government during the period between the last Session of the Council and the present one.

One of the major problems that has faced this Government in recent months and, in particular, since Japan entered the war has been the expansion and control of the A. R. P. organisation of the Province. As the House is well aware the Provincial Government has no responsibility for active defence, but they have a very real responsibility for ensuring that the passive defence measures taken for the protection of the citizens are adequate.

In recent months very considerable progress has been made. In addition to those areas in which A. R. P. measures were previously being made arrangements have in the past few months been made to extend the A. R. P. organisation to other towns.

In the areas where A. R. P. arrangements have been in existence for a considerable time the organisation has very largely taken shape according to the instructions issued by Government, and particular stress is now being laid on the necessity for testing the arrangements that have been made and ensuring that by constant practice and exercises the services are brought to a high state of efficiency in the shortest possible time. In the new areas where arrangements have recently been started action is being taken to push on with the arrangements as quickly as possible.

As the House is aware Government have realised that all the A. R. P. services, if they are to be efficient, must rely on paid personnel as the nucleus of each service. Under the present arrangements 20 per cent. of the Wardens Service is paid, all the personnel in the Control and Report Centres if volunteers are not available, 50 per cent. of the Messenger Service, all the Casualty Service personnel attached to First Aid Parties, Ambulances and Sitting Case Cars, and 75 per cent. of the personnel attached to First Aid Posts, while finally all the Rescue Service personnel is paid.

Apart from the question of ensuring the maximum of efficiency one of the reasons for the high percentage of paid personnel in the various services has been the difficulty of securing a sufficient number of reliable volunteers. Strenuous efforts in this connection have been made but frequently without satisfactory results. Honourable members will be performing a most valuable service to the war effort if they can, in those areas where A. R. P. arrangements are being put into effect, use their influence to secure suitable volunteers for those A. R. P. services which require them.

In addition to these services volunteer Street Fire Parties and House Protection Fire Parties have been organised. These are essentially household services being bodies of three to six persons drawn from neighbouring houses supplied with stirrup pumps and equipment by Government, their sole and very important duty being to prevent incendiary bombs causing local fires in the vicinity of their houses. Government are aiming at an organisation of parties of between 3 to 6 for every 125 of the population.

The response has been satisfactory in a number of areas: for instance, in Howrah 10,696 persons have been recruited; in 24-Parganas 10,791; in Calcutta the number recruited to date is 51,391—not unsatisfactory but in view of the population involved it is clear that very large number of persons have still to be brought within the scope of the scheme.

Particular attention in recent months has been paid to the problem—one of paramount importance—of training the A. R. P. personnel. Instructors of various grades have been appointed in all areas to the number considered necessary, and full advantage has been taken of the advanced courses in the Government of India A. R. P. Schools. In addition the experience that has been gained in the organisation in Calcutta has been placed at the disposal of areas elsewhere, and arrangements have and are being made to ensure that all areas obtain systematic instructions from the officers in Calcutta.

Satisfactory progress has been made in equipping the various services and First Aid posts. I would take this opportunity of referring in particular to the arrangements that have been made for providing stirrup pumps for the public. Up to a short time ago the entire supply of stirrup pumps received from the Government of India in this Province were earmarked for the A. R. P. services. Their demands have now been met and Government of India have been able to make available for sale to the public a large number of stirrup pumps. Arrangements have been made to sell these stirrup pumps through a large number of stockists in this city and elsewhere under arrangements organised by the District Magistrates concerned. Government consider that the possession of a stirrup pump by all householders in a position to obtain one is most essential and a definite insurance against the spread of fire caused by incendiary bombs, supplementing as it does the arrangements Government themselves have made through the Street Fire Parties and House Protection Fire Parties which should ensure that in those areas where persons are not able to afford the purchase of an individual stirrup pump, fires do not spread.

In addition to the strengthening and development of the A. R. P. organisation Government have arranged in recent months for the improvement in the warning system, and a large number of sirens have now been received and distributed in vulnerable areas. Though it is likely that there will always be complaints from individuals that a particular siren was not heard, the general position now is infinitely better than it was some months ago.

Closely connected with the warning arrangements are the lighting arrangements regarding which definite orders of Government have issued restricting the lighting in the vulnerable areas as well as though to a lesser extent throughout the Province. Opportunity is taken here to emphasize the essential nature of these orders and to request that honourable members will do all in their power to ensure that, in their areas, the orders are complied with.

Air Raid Precautions in the technical sense form only part of the system of Civil Defence which we have been building up, and I propose at this point

to review other measures which we have taken. I shall begin by saying something about what has been done to strengthen our fire fighting services.

In ordinary peace time the strength of the Calcutta Fire Brigade consists of 291 officers and men, with 22 fire engines, and it is liable to be called out to deal with fires anywhere between Budge Budge and Naihati on either side of the river Hooghly. For Civil Defence against fires started as a result of air raids, a scheme has been sanctioned for increasing the strength of the Fire Brigade by the formation on a temporary basis of an Auxiliary Fire Service, and the jurisdiction of the Fire Brigade and the Auxiliary Fire Service has been restricted to Calcutta and Howrah. For the rest of Bengal, including the Calcutta Industrial Area up and down the Hooghly, separate arrangements have been made. For the A. F. S. in Calcutta and Howrah 274 trailer pumps have been sanctioned. Up to date 111 trailer pumps have been delivered to the Fire Brigade for the A. F. S. in Calcutta and Howrah; the present strength of the A. F. S. personnel now exceeds one thousand and it will be steadily increased as fast as the men can be trained: the final total strength will be about 2,000 men. A special training school was opened at Dum Dum on July the 1st; the course lasts three months and approximately 250 officers and men can be trained in a course. Training however will not be confined to the Dum Dum Training School, and if suitable men can be found faster than they can be trained at Dum Dum, they will be trained at existing fire stations or new reserve depots still to be opened.

In order to increase the availability of water for fire-fighting in Calcutta, certain measures have been taken which I do not think I need describe in detail.

As a temporary measure for the strengthening of the A. F. S. (not the Fire Brigade proper), the appointment of 30 Sub-Officers from Fire Brigades in England has been sanctioned, 24 of these have recently arrived.

If Air Raids take place, casualties are inevitable and we have prepared a scheme for the treatment of those whose injuries require treatment in hospital. The scheme provides for a total of over 8,000 beds made up as follows:—

By the reservation of approximately half the existing beds in existing hospitals, by opening new beds in Wards and verandahs, etc., of existing hospitals and by taking adjoining houses as annexes to these hospitals, and by commandeering altogether separate buildings in Calcutta or the Industrial Area and opening altogether new and independent hospitals.

Protective measures against blast have been made in all hospitals where civilian casualties will be treated, and arrangements have been made for alternative water supply.

In order to ensure the continuance of Essential Services provided by the Corporation in post-raid conditions, the following measures have been taken:—

(*i*) Mobile repair squads have been formed with spare stocks of materials and implements for repairs.

(*ii*) The machinery and main pipes at water pumping stations and drainage pumping stations have been protected.

(*iii*) Alternative outfall arrangements have been arranged in the event of damage to drainage pumping stations.

(*iv*) Camouflage is being applied to the Tallah Water Works Reservoir and Engine House.

(*v*) 2,500 tube-wells have been sunk all over Calcutta to provide alternative water supply in the event of damage to the water distribution system. All of these wells have been sunk on public land and therefore none has been placed inside a bustee; we are now considering the provision of 200 additional wells with particular regard for the needs of bustees. For the present we have also undertaken the responsibility for maintaining these wells and their condition is steadily improving; it is to be hoped that wilful damage to these wells in the future will be less than in the past.

(*vi*) Special camps of hutments have been erected on the outskirts of the city for the accommodation of 25 per cent. of the Corporation conservancy labour, and pucca buildings in various parts of the town have also been commandeered for the accommodation of a further 40 per cent.

All the municipalities in vulnerable areas were called upon to prepare and submit schemes for the maintenance of communications and Essential Services and on other Civil Defence subjects. The schemes received from the municipalities regarding repairs to roads and sewers, protection of waterworks, alternative water supply, emergency conservancy arrangements, etc., have been sanctioned after a thorough scrutiny and are being executed under the supervision of the A.R.P. Division of the Chief Engineer, Public Health Department. For the vulnerable areas in the districts of 24-Parganas, Hooghly and Burdwan, mobile repair squads under trained overseers have been sanctioned and stationed at strategic places in the area so as to be able to serve the needs of groups of municipalities.

A salvage organisation has been set up with a view to the removal for protection and storage of movable property from houses damaged as a result of an air raid, belonging to absentee owners or to owners who are unable to make arrangements themselves. The organisation will also render all possible assistance to owners anxious to remove property from damaged and threatened buildings to the nearest place of safety.

It is considered desirable that the debris of a demolished building should be levelled or removed as soon as possible after an air attack. We have therefore arranged for the levelling of any building damaged beyond repair and for the clearance of any debris in cases where the person in control of the building is unable or unwilling to arrange to do so himself. Within the municipal limits of Calcutta and Howrah, the Chairman of the Calcutta Improvement Trust has been placed in charge of this work. A lump payment of Rs. 20,000 has already been made to him to cover any preliminary

expenses incidental to the scheme. Elsewhere in the province, District Magistrates have been instructed to arrange with the municipalities in vulnerable areas for certain contractors to be earmarked for this purpose should necessity arise. District Magistrates have been instructed that in the event of any municipality failing to perform this function, they should themselves take action in exercise of their power under Rule 78 of the Defence of India Rules.

With a view to ensuring as far as possible that there is shelter available for every bustee dweller within a reasonable distance of his dwelling, the Staff Officers of the A.R.P. Wardens' Service recently undertook a systematic survey of the bustees. As a result of this survey, the population of every bustee has been split up into sizable groups, with a leader in charge of each group. As far as possible arrangements have been made with owners of neighbouring pucca buildings to afford shelter to a particular group in a room in his or her house—the leader of the group and in some cases the entire group having been introduced to the owner. Public response to this move has been commendable all over the city.

My hon'ble colleague in charge of the Revenue Department has been busy with schemes for the provision of shelter for people who may be rendered homeless by air attacks and those who leave their homes in towns after an air raid or in the event of an invasion. He has decided to provide relief arrangements for many thousands of persons at a time in the city of Calcutta. Seven relief centres now stand complete with requisite staff and necessary water supply, sanitary and other arrangements and 7 more nearing completion which arrangements are now in progress for the provision of relief for the balance of those who according to our estimates may require it. Homeless persons will be allowed to remain in these relief centres ordinarily for 3 days and in exceptional circumstances for 7 days and it is expected that during this period they will be able to make arrangements for their own food and shelter. While living at the relief centres they will be supplied with meals from the air raid relief kitchens which now stand ready fully equipped with the necessary establishment, cooking utensils and a considerable stock of food stuffs with water supply, sanitary and other arrangements. A number of lorries already purchased and provided with drivers, cleaners and conductors will be used for carrying water and food to the relief centres from the kitchens.

Besides the above, 2 special relief centres for orphaned children and for women who will have no guardians to look after them have also been opened in Calcutta.

As regards other vulnerable towns in the province, similar relief centres with provision for estimated requirement of the total population of the respective areas have either been opened already or are being opened in the industrial areas of 24-Parganas, Hooghly and Howrah and in other towns in various parts of the Province. For other towns which have recently been classified as A.R.P. areas, such relief schemes are now under preparation.

If the city of Calcutta is subjected to heavy and continuous bombing large numbers of people will probably be anxious to leave it simultaneously.

Arrangements have been made with the railways for running special trains to cope with this traffic as far as possible and relief camps have been opened at two stations for the provision of temporary shelter and food for people moving to East Bengal.

The capacity of the railways for running special trains is limited and if the rush is heavier than the railways can cope with, people may leave Calcutta by road. For the relief of such people 86 camps with necessary staff, stocks of food stuffs and adequate sanitary arrangements including isolation wards and maternity rooms have been established at regular intervals along the roads which will be kept open to them. These relief camps will be capable of giving shelter to (about) more than two lakhs of people and food to a very much larger number at a time. To make good drinking water available to them on the way, wells have been sunk every 4 miles along these roads. The roads open to such people have also been improved where necessary. A number of rivers intercepting these roads have been bridged and ferry arrangements across the other rivers have been strengthened by the provision of additional ferry boats and boatmen.

Similar relief camps have been or are being established along the roads leading out of other towns.

My hon'ble colleague in charge of the Commerce and Labour Department has, among his other multifarious duties, to administer the War Injuries Ordinance. That measure was promulgated by the Government of India with a view to making provision for the grant of relief to persons sustaining injuries during the continuance of hostilities. Four whole-time claims officers have been appointed, one for Calcutta, one for 24-Parganas, one for Howrah and Hooghly and one for Chittagong, and part-time claims officers have been appointed in all the other districts of the Province to examine claims and make payments. I do not think that it would be in the public interest for me to give details of claims received after the air raid in the Chittagong area and I must ask the House to accept my assurance that practically all the cases instituted have been disposed of.

We have also had under consideration a scheme for the insurance of the moveable property against war risks, and have received the report of the Committee of Enquiry which was appointed to make proposals on the subject and I welcome this opportunity of expressing Government's appreciation of the assistance which the Committee have given us. We have examined their proposals and have decided on the lines of the recommendations which we should make to the Government of India.

I should now like to give the House some idea of what has been and is being done for those who have had to leave their homes and their land for reasons of military necessity. It was not long after the outbreak of the war in the Far East that pressing demands came from the defence services for the evacuation of certain areas in the coastal belt of the province. In view of the military situation these demands had to be conceded at once and in several districts large areas were cleared within short notice. The necessity for evacuation arose very suddenly at a time when the District Officers had numerous complex and pressing duties but they took as much care of the

unfortunate evacuees as was humanly possible under the circumstances. In some areas free transport was provided and temporary shelters were constructed for those who could not readily find accommodation elsewhere; in some others people were paid lump removal costs before they moved and thereafter grants for raising temporary huts. I feel sure, Sir, that the House will appreciate my reasons for not specifying cases more definitely. In view of the hardships involved by evacuation at short notice we left the military authorities in no doubt as to our views about the need for granting reasonable notice and I am glad to say that they have gone far to meet our wishes. At the initial stage when the necessity for quick action was paramount some areas were cleared with as little as 48 hours' notice. From May onwards about a fortnight's notice became more usual while during the rains we have been able to give still longer notice.

In calculating the compensation which should be paid to evacuees we now take the following into consideration:—

Removal costs.

Lump compensation for standing crops, fish in tanks, etc.

Costs of temporary shelter.

Replacement value of kutcha homesteads.

Rent for pucca houses.

Recurring compensation for use of land, tanks, etc.

Lump compensation for loss of earnings.

Compensation for other claims which do not come under any of the above categories.

In addition to what is being paid now people will be paid adequate compensation for all damage to property during the period of dispossession, after the property is restored to its owners. For obvious reasons, it is premature to entertain such claims now.

Great emphasis is laid on prompt payment of compensation. Removal costs and compensation for building temporary shelter are invariably paid before evacuation takes place. Usually replacement costs of kutcha houses and compensation for standing crops, fish in tanks, etc., are paid before removal if possible. Collectors have also been given wide powers to make advance payments to remove hardships. It will I am sure be readily understood that the assessment of a large number of claims arising out of evacuation of areas is a laborious task. There are difficulties regarding possession and title which cannot be lightly brushed aside; there are difficulties in maintaining contact with the evacuees after they have dispersed and therefore in adjudging their claims. In spite of all these obstacles considerable progress has been made as can be seen from the fact that up to the present time now the total area cleared is approximately 75,396 acres, the number of families affected 35,963 and the amount of compensation paid out is Rs. 53,11,258.

The possibilities of finding employment for the evacuees are also under constant examination. As a result of representations made by evacuees,

they have been allowed to reap the standing crops and to plant fresh crops in some of the abandoned areas.

Evacuee labour is also being given preference in military and other public works wherever possible: and employment can be found for a large number of men in the Civil Pioneer Force which is now being raised. Steps have also been taken to maintain contact with the evacuees after they have moved and to deal with such special problems as may arise from time to time.

It will be appreciated that the magnitude as well as the complexity of the problems raised by evacuation set a formidable task before District Officers and Government. Distress has inevitably been caused; but we have tried to mitigate suffering and to remove genuine grievances as far as humanly possible.

Nobody likes to be disturbed in the security of his own possessions. Nobody willingly gives up his hearth and home or surrenders his property into strange hands. Almost everybody, if compelled to do so by overriding necessity, will grumble and consider almost any form of compensation offered him inadequate.

In Bengal, military necessity has compelled the withdrawal to specified areas or the removal of certain classes of boats belonging to persons in a denied area. In each case, however, fair and adequate compensation has been paid for the property of which the owner is denied the use. Payment has been as prompt as circumstances have allowed, and complaints have been promptly investigated. The reasons which have compelled us at the request of the military authorities to deny the use of boats to the enemy are well known. It is to prevent the Japanese using them themselves as they have done elsewhere, should they attempt an invasion of these shores. If the Japanese were to attempt a landing in Bengal, it would be a simple matter for them to penetrate inland if they could find ready-made fleets in the shape of the river craft that throng each Bengal's stream. At the time of landing, such boats would be commandeered instantaneously without compensation; the boatmen would become galley slaves and fire screens for the Japanese soldiery, and any reluctance to work for the invader would be met by death or torture. To forestall this, we have ordered the withdrawal of boats to certain areas as far as can be done without causing distress and is in addition awarding compensation on a generous scale. Here again, although the reduction of these means of transport unquestionably entails considerable inconvenience, it would be entirely false to represent such actions as sweeping orders applied with harshness or without close and sympathetic study of their local effects. Hardships there must be but they are as nothing to the disastrous consequences that would ensue were the enemy permitted to make free use of the country's means of transport.

It is clearly recognised both by Government and the military authorities that denial to the enemy of all forms of transport would involve not only an intolerable degree of hardship to the people but would also cause immense

difficulties in the maintenance of the civil administration and is therefore not practicable. Accordingly a number of steamers, launches, boats have been allowed to remain in the denial area.

These are launches and boats belonging to and maintained by Government or under the direct control of Government Departments.

Steamers, launches or boats required for the purpose of removing from the denied area surplus stocks of food-stuffs or other commodities or things likely to be of benefit to the enemy.

Steamers, launches or boats required to take into the denied area food-stuffs or other commodities that are essential to the existence of the population remaining in that area.

Small boats such as may be absolutely necessary to enable the population of the denied area to maintain themselves.

To give effect to this denial policy we have ordered the withdrawal of big boats from the denial area, and the owners thereof have been given the option of withdrawing their boats to a safe area and retaining them there until the period of danger has passed or handing them over to Government at one of the various receiving centres which have been established for reception of boats from the denial area. In the latter case the owners are awarded adequate compensation.

As regards the small boats their withdrawal from the danger area is not compulsory but where the owners volunteer to surrender them Government purchase these boats locally and pay compensation on a generous scale.

Arrangements on a liberal scale have also been made for the grant of temporary permits usually for periods of 7 days to enter the denial area for the purpose of—

trade between the denial area and the areas to the north;

conveyance of cattle or seedlings for distant cultivation.

Arrangements have also been made for organising ferry services.

We have taken a variety of steps to ensure that hardship is reduced to the minimum. In case where the crew are employed on a wage basis we pay to the owner the market value of the boat and to the crew if they are not the owners or part owners one month's wages.

In special cases of hardship further compensation not exceeding another month's wages is paid to the members of a crew.

In case of boats hired by the present crew, the owner receives the market value of the boat and the balance of the hire charge due from the date of withdrawal to the end of the term of hiring under the hire contract, while the crew receives one month's average earnings.

In cases where the boat is the sole means of livelihood of the owner, a sum equivalent to three months' average earnings in addition to the market value of the boat may be paid.

Fishermen are encouraged not to part with their boats as it is the intention of Government to get them back to work again under control as soon as practicable. A scheme is already under preparation and the matter has been taken up with the local officers. For the present those who deposit their boats are being paid allowances until final arrangements have been made but most of them are keener on getting the cash compensation for their boats outright. Fishermen who give up their boats permanently receive their full value as well as compensation for loss of livelihood up to 3 months' average earnings.

We have also not forgotten numerous people who may have been hard hit as a consequence of this policy although they did not actually live in the denial areas and keep boats there; and arrangements have been made to extend relief in deserving cases even though they may have no legal claim to compensation.

Up to the 15th August, 1942, approximately Rs. 28,54,424 has been paid as compensation for boats.

I now turn to a subject which is of immediate personal interest to every individual—that of the supply and price of the necessities of life. In this Province the problem is complicated by the fact that Bengal is not self-sufficient as regards any of its food supplies except rice. We depend for sugar on Bihar, for salt on the western coast ports and places outside India, e.g., Aden, for most varieties of *dal* on Bihar, for oil seeds and mustard oil on the U. P. and Bihar, and so on. Even in the case of rice we have seen the difficulties of securing adequate supplies to the public at controlled prices: the difficulties of price control are greater still when we have no control over the source of supply.

The difficulties of transport have aggravated the problem. Recently, wheat allotments have been difficult to obtain on account of the disturbance to railway communications and sugar imports from North Bihar have almost stopped as a result of local disturbances. This fact accounts for the prevailing scarcity and high price of sugar in Calcutta and the districts, but we have taken steps with the help of the Sugar Controller to get in supplies from elsewhere and they will soon be on their way. In the case of some other commodities, there has been a chronic shortage, for example, the supply of kerosene has been cut by fifty per cent. This means that everyone has got to reduce his consumption.

The House is no doubt aware that we have recently established the nucleus of a Civil Supplies Directorate and I hope that it will not be long before it is working at full strength. Our first endeavour has been to create conditions under which supplies can move readily when needed and the trade itself can operate in a healthy manner. We seek co-operation but if the trade cannot deal with its own black sheep, we may have to apply compulsion. We must always remember, however, that we cannot stand by ourselves. We need the help of other Provinces and must be ready to help them.

Members may be interested to hear something about commodities which have to be imported from outside Bengal. On hearing that the Bengal allotments of wheat for August were likely to be heavily reduced, we took

up the matter and have obtained an assurance that the special needs of Calcutta will be borne in mind: We feel that the immediate prospects are not unsatisfactory but the House should recognise that wheat supplies are not under our ultimate control.

The question of the supply of *dal* has been taken up with the Bihar Government.

I am glad to say that the position in regard to salt is satisfactory, but efforts are being made to build up increased stocks against future needs. We are also making arrangements with leading dealers for the import of more mustard seed and oil, but the latest information makes it very doubtful whether we shall receive before the Pujas the supply of standard cloth for which we have indented.

The new Directorate of Civil Supplies, is alive to the urgency of the problems with which it is confronted and it is to be hoped that as soon as the various factors which I have referred to have been brought under some sort of control, with the help and co-operation of the Central and other Provincial Governments a substantial improvement in the position of supplies will be effected. Meanwhile, the Province can help itself very considerably by organising a comprehensive anti-hoarding drive in Calcutta and the districts, with the active support and co-operation organised trade and the leaders of public opinion.

So far I have dealt with subjects which with the exception of Air Raid Precautions are the concern of one or the other of my hon'ble colleagues. I now ask the indulgence of the House for a few minutes to enable me to say something about matters which appertain to the department of which I myself am in charge.

Two measures which have been put into effect since the House last met are revised provisions for the Civic Guards and the institution of a rural organisation which we have called the Bengal Home Guards.

The House will remember that the Civic Guards were constituted under an Ordinance during 1940. In Bengal in several districts they had done excellent work; we have, however, for some time been disquieted by indications that the organisation was not working as well as we could hope. We thought that its possibilities for good were so great, and the promise which it had shown where it has been working well was so encouraging that we must do everything possible to remove obstacles to further development along satisfactory lines. A senior police officer was therefore placed on special duty to recommend measures for re-establishing the organisation on a sound basis.

The Civic Guard was conceived as a purely honorary force. Without in any way deprecating the work done for the Civic Guards by influential non-officials to whose enthusiasm and public spirit the movement owes so much, it is clear that the success of such an organisation depends largely upon whether or not local officials charged with its development are able to devote to it the continued interest without which no purely honorary body of volunteers can reasonably be expected to maintain their enthusiasm. Partly

because most local officers were unable to spare time for detailed supervision of the Civic Guards and for day-to-day association with it and partly because there were certain small causes of dissatisfaction amongst members, the honorary system has broken down and it was necessary for us to devise reforms to set things right.

In the first place we have appointed a number of persons whom we call Adjutants and Quartermasters whose duty is to organise and train groups of Civic Guards and to charge themselves with every detail not only of their efficiency but also of their welfare. These officers were chosen from amongst trained physical instructors who have passed through Mr. Buchanan's school of training; they were posted for some time to assist in training the Civil Pioneer Force Battalion and with the experience there gained have now been allotted to districts. It will be their duty to establish and maintain direct personal contact with officers and members of the Guard and to ensure that any suggestions or complaints are laid before the appropriate authority for consideration and redress. We look to these officers to ensure not only that the Guards are organised and trained to a state of efficiency but that their legitimate requirements are sympathetically considered in a humane spirit and promptly brought to the notice of the authorities.

Then as regards the Guards themselves we have decided that we must be prepared to give allowances to men whom we expect to be available for duty whenever called upon. We have instituted courses of training during attendance at which an amount of pocket allowance of Rs. 3 a month will be given to candidates. When they have passed through this course of training and been enrolled each Civic Guard who attends four parades each month will be entitled to a monthly retainer of Rs. 6. We have also provided that an allowance of six annas shall be made for each tour of duty which a Civic Guard is called upon to perform up to ten such tours monthly.

The rates of duty allowance for officers will be higher; they will draw the same retainer as other members but for each tour of duty they will draw an allowance of Re. 1. We hope to stimulate efficiency and to establish an *esprit de corps* by recruiting officers so far as possible from the ranks. Promotion will depend upon the efficiency there gained and the capacity for leadership there shown and we hope that this will result in increased efficiency and keenness and also in general improvement in tone.

All I can say at present of the progress of these reforms is that it is very encouraging. Adjutants and Quartermasters are settling down to their duties in districts; and in one district at least a number of Guards have already passed through the period of training under the reorganised scheme and qualified for the retainer. There should be no justification in future for the deprecatory references which have sometimes been made to the quality of recruits forming the Civic Guard organisation.

The Civil Guard is confined to urban areas. In the rural areas we have set up a Home Guard organisation, many of the details of which are, I expect, known to hon'ble members. Our object was to organise a trained and disciplined body of men spread over the entire province to meet the exacting demands of the present emergent situation. There was a great

volume of public opinion, freely expressed through the press and otherwise, demanding the active association of the people in the protection of Bengal against lawlessness and disorder arising out of any apprehended threat to our security.

To meet this demand, we have been asked to set up an organisation charged with the duty of preserving peace and order, aiding and assisting evacuees or refugees passing through their area, raising and stiffening the morale of the people by discounting and denying false rumours and in the areas more immediately exposed to the danger of hostile action watching for and reporting to the proper military or civil authorities anything of a suspicious nature such as crashed aircraft or suspicious concentration of boats, etc. Home Guards are being organised in parties each under a Captain; it will be their duty to protect their own and their neighbours' families in their own local area and they will not be called upon to serve at any distance from their homes. At the present moment each unit consists of the area of a Union Board, though as the movement grows the area of the units will clearly have to be decreased. We are thus setting up a body of men capable of providing at any time an effective patrol of at least 25 men.

Each party will be a band of friends and neighbours selected by the Captain himself and since the Captain is to be a man chosen for his influence in the locality, this method of selection will ensure that the parties work together in an atmosphere of friendliness and mutual trust. There is no sectarianism in the organisation which is open to all irrespective of political or religious affiliations. The Captain for each unit is chosen with the assistance of a local committee on which two influential local non-officials—one from each community are appointed. We rely upon these gentlemen not only to help in selecting a suitable Captain but for assistance and support to him by encouraging enrolment and by attracting and maintaining public interest. We hope also that they will, in association with the Captain and with the Vice-Captain (who will be appointed when the party has been formed and trained) keep the authorities aware of all matters affecting the Guards or the safety and security of the area for which they are responsible. We look to gun licensees to join the Home Guard and we shall be prepared to bring pressure to bear upon licence-holders either to enrol or to make their weapons available for the common defence. The Home Guard will be a voluntary force, non-political, and non-party, through which the will of the people can be organised to maintain law and order in these troublous times and to arouse and confirm the will of the people to offer united resistance to the enemy.

The organisation of this body has already made strides. Upwards of 5,000 Captains have already been appointed and are organising their parties. Twenty-three Adjutants, after a preliminary course of training, have been posted to districts and have embarked upon a programme of training. It is our intention ultimately to post two of these Adjutants in each district and 4 in the larger districts, and there is at present a course of training being conducted to supply a second batch of Adjutants. For the present we have posted three or four Adjutants in each of the coastal districts in order that

work there may be carried on along intensive lines. Their instructions are, as soon as possible after joining, to conduct a course of training lasting for a fortnight for Captains of Home Guard parties and to follow this up by subsequent courses so that training may become rapidly diffused. We have not laid down any rigid rules at present because, in a matter of this kind where much is to be gained by the method of trial and error, we wish to give the maximum scope to local officers who have ideas to try them out and by comparison of results to arrive at improved methods all round. In Chittagong, where there is already an organised system of civil defence parties, the results of the first fortnight's training have been so encouraging that the District Magistrate describes them as being little short of amazing. Mr. Buchanan has been placed in charge of training and organisation and we have before us now a handbook of training prepared by him in which, I am sure, the members will be interested and of which I shall make copies available if members so desire.

About the internal situation following upon the ratification by the All-India Congress Committee of the Working Committee's resolution and the subsequent arrest of Congress leaders I do not think that I can at this juncture profitably say very much; an opportunity may occur later for a rather fuller statement.

Myself and many of my colleagues deprecated the initiation of a mass movement and assured the public that we were prepared to see that any movement which might be initiated was checked and peace and tranquility maintained. At the same time we were anxious to avoid action which might precipitate a crisis and we appealed for a settlement which would avert one. Unhappily such a settlement was not effected and although Bengal has been spared disasters on the scale experienced in some other Provinces, there have been disturbances both in Calcutta and elsewhere of sufficient gravity to give cause for serious anxiety. Apart from *hartals* and few demonstrations, instances have occurred in several districts of tampering with or damage done to the permanent way or rolling stock of railway with interruption of railway communications and destruction of instruments. Members are aware of the persistent interference with tramway services in Calcutta and with the damage done to public utility services; this and the attack on A. R. P. depots and wardens' posts which have occurred cannot have any other result than giving assistance to the enemy. There has been sporadic cutting of telegraphic wires in many districts and in certain areas post offices have been attacked and looted. In present conditions, when the enemy threat to our Province has been by no means removed, and when it is essential that communications should be kept open in order that military dispositions may be maintained and no obstacle placed in the way of troop concentrations for any purpose, be it offensive or defensive, interference with railways, telegraphs and postal communications are very serious matters. Collective fines have had to be imposed upon the inhabitants of areas where such acts of sabotage occur and where there is reason to believe that the local inhabitants are concerned in those offences or are harbouring the offenders or are failing to give proper assistance in apprehending culprits and bringing them to book.

District Magistrates have been directed to convey a warning to the inhabitants of all areas through which any line of communications passes that they are charged with the specific duty of maintaining the sector passing through their area and protecting it from damage and that they will be held accountable if outrages occur.

With regard to the regrettable incidents arising out of these disturbances, in the course of which the police found it necessary to open fire, I do not wish to make any observations at the present moment because we may have to consider this question more fully in the light of the observations which are going to be made by my friends in the Council in the course of the discussions which they will have the privilege to initiate on the statement which I am now making before the House.

Turning to Jail Administration I think I should mention that the Tribunal set up in fulfilment of my undertaking to the House during the last session submitted the case of 382 security prisoners to scrutiny and have forwarded their report to Government together with their report and recommendations. The Hon'ble Mr. Justice Panckridge who was Chairman of the Tribunal had completed the draft of his report before his sudden and lamentable demise but we have not yet had time to scrutinise the report and come to any decisions upon the recommendations contained in it. We have, however, taken action on a number of points outside the terms of reference of the Tribunal with the object of mitigating the rigours of detention. The pricipal modifications which we have recently decided upon include an amendment of the rule of diet allowance, increases in the clothing, extended facilities as regards private correspondence and temporary release to visit near relatives in case of critical illness and a more liberal scale of family allowance.

There have been two major jail disturbances; the one which broke out at the Berhampore Special Jail on the 19th May, 1942 and which was handled tactfully by the local officials and about which I do not wish to say anything at the present moment. The second has been the recent unfortunate occurrence in the Dacca Special Jail which took place on the 31st August 1942. The Commissioner of the Dacca Division and the Inspector-General of Prisons have held an enquiry and are soon going to submit their report to Government. I paid a visit to Dacca and had been to see the locality where the disturbances took place and had personal discussion with the security prisoners and other persons inside the jail. I do not wish to make any comment at this stage because statements have appeared in the press from representatives of public bodies and demands have been made by the Mahalla Sardars of Dacca for the establishment of a special Committee of Enquiry to investigate facts and to report the causes of the disturbance and also the manner in which the casualties have been caused. It has been a very regrettable affair and I do not wish at the present stage to say anything further than what I have already stated.

The communal situation has fortunately been satisfactory. We have been able to settle the dispute at Dinajpur and I am happy to say that the immersion rites, which had been long suspended, were amicably, completed on the

26th June under arrangements mutually agreed to by members of both communities in the town. It is true that Dacca during the second half of June and the first half of July witnessed renewed disturbances to which a communal colour might very easily have been given. There were unfortunately some casualties sustained by both communities. Prompt measures were however, taken by the local authorities and these were supplemented by the promulgation of the Turbulent Areas Ordinance which had lapsed early in January and by the imposition of collective fines under that Ordinance. We have not been able to ascribe responsibility for these disturbances; a number of political and communal groups are under suspicion of having fomented them, but the general public in Dacca was clearly not prepared to allow these disturbances to develop into communal riots and there was no demonstration at any stage indicating that communal passion had been widely inflamed. Elsewhere communal relations have, I am glad to say, been more friendly than for a considerable time past.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On a point of order, Sir. We, from this side of the House, would like to table some motions with regard to this statement. So, we request that a time may be fixed for putting in these motions.

Mr. PRESIDENT: Will it suit the honourable members if I fix 12 noon of Saturday, the 19th September, 1942, as the time for sending in these motions?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Then, Sir, when will the motions be taken up?

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, some time may be given to Government to consider those motions before they actually come up before the House for discussion. We do not know how long this Session will continue. May I suggest to the honourable members to send in the motions by tomorrow evening?

Mr. PRESIDENT: I would like to fix Saturday noon as the time by which all notices of motions must reach the office. In that case, you may get copies of them by Saturday evening. The motions may not be taken up before Monday or Tuesday next. This was the impression I got from the Hon'ble the Chief Minister. Government will require some time and members will also require some time to consider the motions that may be tabled. Any member desiring to give notices of motions or amendments will, therefore, do so by Saturday noon.

Mr. PRESIDENT: The House now stands adjourned till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Friday, the 18th September, 1942.

Members absent.

The following members were absent from the meeting held on the 17th September 1942:—

(1) Rai Bahadur Manmatha Nath Bose.
(2) Mr. Shrish Chandra Chakraverti.
(3) Mr. Bankim Chandra Datta.
(4) Mr. Narendra Chandra Datta.
(5) Mr. Kamini Kumar Dutta.
(6) Khan Bahadur Alhadj Khwaja Muhammad Esmail.
(7) Mr. Mohamed Hossain.
(8) Khan Bahadur Syed Muhammad Ghaziul Huq.
(9) Maulana Muhammad Akram Khan.
(10) Mr. W. B. G. Laidlaw.
(11) Mr. J. McFarlane.
(12) Dr. Radha Kumud Mookherjee.
(13) Mr. Ranajit Pal Chowdhury.
(14) Dr. Kumud Sankar Ray.
(15) Mr. K. C. Roy Chowdhury.
(16) Rai Sahib Jatindra Mohan Sen.

B. G. Press—1942-43—6933A—750.

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 3.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 18th September, 1942, at 2-15 p.m., being the third day of the Second Session of 1942, pursuant to section 62(2) (*a*) of the Government of India Act, 1935.

Mr. President (the Hon'ble Mr. SATYENDRA CHANDRA MITRA) was in the Chair.

Question with Answer which remained outstanding from the Third Session of 1941.

Fisheries Department.

68. Mr. K. C. ROY CHOWDHURY: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what steps have been taken to revive the Fisheries Department for which grant has been recently sanctioned; what staff has been employed and what are the lines of investigations adopted?

(*b*) Is he aware that millions of *hilsa* fish, *betki* mullets (*bhangan*) and *topsi* (mango fish) migrate into the Sundarban Estuaries and that only a fraction of them is caught by our fisher folks and is he aware that their nets and boats are more or less of primitive types and that they have no swift carriers like motor launches for transport from distant fisheries to railway stations like Khulna, Canning Town and Diamond Harbour?

(*c*) Is he aware that in Madras Presidency, the Department of Fisheries started experimental yards in sea coasts for curing, salting and canning fish and that industrialists have taken over some of these yards and are supplying cured and canned fish to the public?

(*d*) Does he propose to direct the Industries Department of Bengal to make enquiries of the Director of Foodstuffs (War Supply), New Delhi, regarding this and induce him to place orders for supply of preserved *hilsa* and prawns (*chingris*) available in Bengal through the Industries Department?

(*e*) Does he propose to circulate the members of the Legislature a gist of the reports on sea and Sundarban Fisheries and their potentialities, submitted by late Sir K. G. Gupta, late Mr. A. Ahmed and Mr. Southwell deputed by Bengal Government to enquire into the fisheries of Bengal?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) The Department of Fisheries, Bengal, was revived with effect

from the 26th May, 1942. At present, the staff consists of one Director, one District Fishery Officer, one Clerk, one Stenographer and a temporary Typist. Steps are being taken to recruit 3 more District Fishery Officers, 5 Field Assistants, one more clerk and a permanent typist for the Department.

In view of the existing emergency conditions, the Department was revived mainly with the object of—

(1) Reorganising the taking and distribution of fish under the emergency conditions.

(2) Conserving the present supplies, with particular reference to the fisheries of immature fish.

(3) Conducting investigations on tank fisheries with a view to increasing the food supply in the Province, thereby aiding in the "Grow More Food" campaign.

For the duration of the present emergency, the work of the Department will thus be principally concentrated on the conservation and best means of utilisation of existing supplies.

(*b*) Yes.

(*c*) I have no definite information.

(*d*) The Director of Fisheries, Bengal, has already made enquiries from the Foodstuffs Directorate (War Supply), New Delhi, with a view to developing the preserved fish industry in Bengal. The Deputy Director, Foodstuffs, visited Bengal and made a tour of some of the fishing areas with the Director of Fisheries. The preserved fish product at present available in the country has been found unacceptable for military supply and attempts at salting and smoking *hilsa*, owing to its rich oil contents, have not yielded satisfactory results. The other type of salted and smoked fish required by the military are not available at present in Bengal, as their fisheries mostly lie in the restricted areas. Proposals are however under consideration for improving the quality and quantity of preserved fish.

(*e*) It is not practicable to prepare and circulate a gist of the reports of Messrs. K. G. Gupta, Ahmed and Southwell. Copies of the reports are however placed in the Library.

Question with Answer which remained outstanding from the First Session, 1942.

A.R.P. organisations.

49. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Civil Defence Department be pleased to state whether his attention has been drawn to the newspaper report of the general nature of

the measures against internal disturbances and of the steps taken by the Civil Defence Department, Government of India, published on the 15th February, 1942, indicated by Sir Reginald Maxwell in reply to Mr. Lalchand Navalrai's question in the Central Assembly?

(*b*) Are the Government aware of the newspaper report that Mr. A. N. Chattopadhyaya, M.L.A. (Central), suggested in the Central Assembly that the Bengal Government was setting its face against private organisations arranging A.R.P. and other safety measures against internal disturbances in this war time?

(*c*) What is the Government's attitude to voluntary private organisations, such as the Congress organising A.R.P. and other safety measures?

MINISTER in charge of the CIVIL DEFENCE DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) and (*b*) My attention has been drawn to the report and the suggestion of Mr. A. N. Chattopadhyaya in the Central Assembly.

(*c*) Government do not think that it is possible for parallel organisations to function in purely A.R.P. work at the time when the enemy is actually carrying on a battle in the air. If, however, Government are convinced that there will be no practical or technical difficulties they will recommend a revision of the present policy in this respect. Government will welcome non-official effort on an organisational basis in other spheres of civil defence activity such as care of the injured outside casualty clearing areas, relief to the homeless, relief to the people leaving the city and protecting homes from fire. Publicity in respect of A.R.P. instructions to the ignorant and uneducated people is another important sphere where assistance will be welcome if it can be organised in co-operation with the Warden Service. The reception and care of evacuees from Burma has already been entrusted largely to non-official effort and help in that direction will be welcome.

Questions tabled for the current Session with Answers thereto.

The Bengal Smoke Nuisances Act.

7. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) to what area or areas in Bengal the provisions of the Bengal Smoke Nuisances Act has been extended up to February, 1942;

(*b*) if it has been extended to the Chittagong Municipal areas and other municipal areas in Bengal; if not, why not;

(*c*) whether it is a fact that the offence of smoke nuisance has increased in Bengal;

(*d*) if so, what steps have the Government taken and propose to take to check smoke nuisance in urban areas of Bengal; and

(*e*) whether it is a fact that many municipal areas have grown into industrial areas since 1905; if so, whether the Government propose to bring these areas within the operation of the Bengal Smoke Nuisances Act, 1905; if not, why not?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) The Bengal Smoke Nuisances Act is extended to the town and suburbs of Calcutta, the station of Howrah, the local limits of the Tollygunge, Garden Reach and South Suburban Municipalities in 24-Parganas and the locality known as Panchpara in the Howrah district.

(*b*) The Act has not been extended to any other areas in Bengal because that was not considered necessary by the Bengal Smoke Nuisances Commission.

(*c*) No.

(*d*) Does not arise.

(*e*) The answer to the first part of the question is in the affirmative. The Commission considers that it would not be possible under the war time conditions to impose additional financial obligations on municipalities. Industrial concerns would not also be able to put up chimneys because of scarcity of sheet steel.

Mymensingh District Board.

8. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether election to the Mymensingh District Board is now due;

(*b*) if the reply to part (*a*) is in the negative, when will the election be due;

(*c*) why the Government is making delay in publishing delimitation of the constituencies of the Mymensingh District Board;

(*d*) when will the constituencies be published; and

(*e*) when is the next election likely to take place?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) and (*b*) The five-year term of the Mymensingh District Board expired on the 29th August, 1942. The general election has, therefore, been due.

(*c*) Several objections to and suggestions on the delimitation scheme, as prepared by local officers, have been received and are now under the consideration of Government.

(*d*) The delimitation of the constituencies will be published as soon as possible.

(*e*) The election will be held after the constituencies have been finally delimited unless it is postponed owing to any emergency.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister be pleased to state when the delimitation of constituencies is likely to be published?

The Hon'ble Mr. SANTOSH KUMAR BASU: I cannot give any approximate date.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Any idea as to when it will be published?

The Hon'ble Mr. SANTOSH KUMAR BASU: In these matters it is difficult to visualise any date when actually the publication will take place. But I may say that it will be published as soon as possible.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Can it be published within the next two months?

The Hon'ble Mr. SANTOSH KUMAR BASU: As I have already said, I could not give you any definite date.

Prohibition.

9. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state if it is a fact that the consumption of country spirit and other cheap intoxicants has increased in Bengal and also the receipt therefrom?

(*b*) Has prohibition been introduced in Chittagong and Comilla as promised by the last Ministry? If not, why not?

(*c*) Is it a fact that only a small excise shop fetching an income of less than Rs.30 has been abolished in Chittagong?

(*d*) Do the Government propose to introduce gradual prohibition in Bengal? If not, why not?

(*e*) In what other district or districts, the consumption of country spirit, *ganja* and other cheap intoxicants have increased in Bengal?

(*f*) What was the total number of excise shops in Bengal in 1937, and what is the total number in 1942?

(*g*) (*i*) In what districts have the Excise Licensing Boards increased the number of shops by recommendation and in what districts have they recommended reduction?

(*ii*) By how many in each district and in how many cases have these recommendations been accepted and in how many cases have these recommendations been rejected?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Upendra Nath Burman): (*a*) Yes, consumption and revenue have increased due chiefly to the influx of a large number of up-country workers for employment in the various war production factories and mills, etc., in Bengal.

(*b*) Partial prohibition has been introduced in selected areas of the Tippera and Chittagong districts.

(*c*) No. To start with a country-spirit shop yielding an annual revenue of Rs.600 was abolished with effect from the 1st April, 1942.

(*d*) Yes.

(*e*) There has been general increase in consumption of intoxicants including country-spirit and *ganja* throughout the Province.

(*f*) In 1937-38 the number was 5,397; in 1941-42, 5,467.

(*g*) A statement for the year 1942-43 is laid on the Table.

Statement referred to in reply to clause (g) of question No. 9.

District.	Recommendation of Licensing Boards.	Final orders.	Recommendation of Licensing Boards.	Final orders.
	Opening of new shops.	New shops sanctioned.	Abolition of existing shops.	Abolished.
Burdwan ..	5	2	2	2
Birbhum ..	..	..	1	1
Bankura ..	2	1	..	..
Midnapore ..	5	None	2	2
Hooghly ..	..	..	..	..
Howrah ..	..	..	..	..
24-Parganas ..	3	1	2 Under consideration.	
Calcutta ..	9*	2	..	..
Nadia ..	..	..	..	..
Murshidabad ..	..	..	..	..
Jessore ..	..	..	..	..
Khulna ..	..	..	..	..
Dacca ..	1	None	1	1
Mymensingh ..	..	..	2	2

*1 under consideration of Government; 1 combined drug shop under consideration of 24-Parganas Licensing Board and the rest rejected by Government.

Statement referred to in reply to clause (g) of question No. 9 (concld.).

District.	Recommendation of Licensing Boards.	Final orders.	Recommendation of Licensing Boards.	Final orders.
	Opening of new shops.	New shops sanctioned.	Abolition of existing shops.	Abolished.
Faridpur ..	..	..	..	..
Bakarganj ..	..	..	..	..
Chittagong ..	..	..	1	1
Tippera ..	..	..	13	10
Noakhali ..	..	..	..	..
Rajshahi ..	..	..	..	..
Dinajpur ..	2	1	..	..
Jalpaiguri ..	2	None	..	..
Rangpur ..	1	1	..	..
Bogra ..	..	..	..	..
Pabna ..	..	..	..	..
Malda ..	..	..	..	..
Darjeeling ..	..	..	..	..
	30	8*	24	19

*Including two additional bar licences in the Great Eastern and Grand Hotels, where such licences already existed before.

Mr. NUR AHMED: Arising out of answer (*f*), will the Hon'ble Minister be pleased to state why the number of excise shops increased in 1941-42 with reference to the number in 1937-38—it appears from the answer that the number in 1937-38 was 5,397 and the number in 1941-42 was 5,467?

The Hon'ble Mr. UPENDRA NATH BURMAN: As it was previous to my assumption of office as Minister in charge of Excise, I cannot say off-hand without looking into the file.

Statement laid on the Table at the meeting of the Bengal Legislative Council held on the 18th September, 1942.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, in reply to a supplementary question by Mr. Humayun Kabir at the meeting of the Legislative Council held on the 9th March, 1942, I assured the honourable member that an enquiry would be made of the Orissa Government as to whether they had conducted any experiments on water-hyacinth

and found paper made from the same profitable. I have now the honour to place, for the information of the House, the following statement regarding the action in pursuance of the above assurance, viz.—

An enquiry was duly made of the Orissa Government in the matter and it revealed that they have never conducted any such experiment.

The Hon'ble Mr. SYAMAPRASAD MOOKERJEE: Sir, may I have your permission to present before the House the Appropriation Accounts for the year 1940-41. I am sorry that I was not present in the House yesterday.

Mr. PRESIDENT: Copies of the Report on the Appropriation Accounts have not been brought in the Chamber to-day for circulation among the members as there was no previous intimation about presentation of the same.

The Hon'ble Mr. SYAMAPRASAD MOOKERJEE: All right, Sir; then I shall move it on another day.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, may I have your permission to present the Report of the Select Committee.

Mr. PRESIDENT: Let me finish the other things first.

Amendments to the Bengal Legislative Council Procedure Rules.

Mr. PRESIDENT: Notice asking for leave of the House to move the following amendments to the Bengal Legislative Council Procedure Rules has been received from Khan Bahadur Abdul Hamid Chowdhury:—

1. After Rule 106 the following be inserted:—

"PART IX-A.

COMMITTEE ON PUBLIC ACCOUNTS.

Constitution of Committee on Public Accounts.

106A. (*1*) A Committee on Public Accounts shall be constituted at the commencement of the first session in each financial year, for the purpose of dealing with the reports of the Auditor-General relating to the accounts of the Province.

(*2*) The Committee on Public Accounts shall consist of eight members elected by the Council from among its members according to the principle of proportional representation by means of the single transferable vote, and the Finance Minister, who shall be the *ex-officio* Chairman of the Committee. The term of the office of the members of the Committee shall be one year but any member shall be eligible for re-election.

(*3*) Casual vacancies shall be filled as soon as possible after they occur by nomination by the President from, whenever possible, the party to which the member in whose place the vacancy occurred belonged, and any person nominated to fill such a vacancy shall hold office for so long only as the person in whose place he is nominated would have held office.

(*4*) In the case of any equality of votes on any matter the Chairman shall have a second or casting vote.

Reference of accounts and reports to Committee on Public Accounts.

106B. The accounts of the Province and the reports of the Auditor-General thereon shall, as soon as they are laid before the Council, stand referred to the Committee on Public Accounts constituted under Rule 106A."

2. After Rule 108, the following be inserted:—

Function of Committee on Public Accounts.

"108A. (*1*) In scrutinising the accounts of the Province and the reports of the Auditor-General thereon, it shall be the duty of the Committee on Public Accounts to satisfy itself—

(*a*) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged,

(*b*) that the expenditure conforms to the authority which governs it, and

(*c*) that every reappropriation has been made in accordance with such rules as may be prescribed by the Governor acting in his discretion or by the Finance Minister as the case may be.

(*2*) It shall also be the duty of the Committee on Public Accounts—

(*a*) to examine such trading, manufacturing and profit and loss accounts and balance sheets, as the Governor may have required to be prepared, and Auditor-General's report thereon;

(*b*) to consider the report of the Auditor-General in cases where the Governor may have required him to conduct an audit of any receipts or to examine the accounts of stores and stock."

3. At the end of Rule 109, for the words "Finance Minister" the words "Chairman of the said Committee" be substituted.

Those who are in favour to leave being granted to move this motion will please rise in their places.

(More than 13 members rose in their seats.)

As more than 13 members have risen in their places, the honourable member has the leave of the House to move his amendments.

Khan Bahadur ABDUL HAMID CHOWDHURY: Sir, I beg to move that these amendments be referred to a Committee to be constituted according to the provisions of rule 110 of our Rules.

Mr. PRESIDENT: The question before the House is: that leave be granted to Khan Bahadur Abdul Hamid Chowdhury to refer the proposed amendments to a Committee under rule 110 of the Bengal Legislative Council Procedure Rules.

(The motion was agreed to.)

Mr. PRESIDENT: Nominations to this Committee must reach the office by 1 p.m. on Monday, the 21st September, 1942. If there are more than five candidates, the Committee is to be elected on the principle of single transferable vote.

Presentation of Select Committee Report on the Bengal Local Self-Government (Amendment) Bill, 1937.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I beg to present the Report of the Select Committee on the Bengal Local Self-Government (Amendment) Bill, 1937, as introduced in the Council by Mr. Humayun Kabir, providing for abolition of nominations in the district boards and local boards.

Khan Bahadur ABDUL HAMID CHOWDHURY: Sir, a question has arisen in another place that an Hon'ble Minister who is not a member of a particular chamber of a Legislature is debarred from presiding over the deliberations of the Select Committee of that Chamber even though he may be chosen to preside over the meetings of the Select Committee. The Advocate-General of Bengal is reported to have expressed his opinion in favour of this contention. If that be so, I request a ruling of the Chair if, on the same analogy, the entire proceedings in connection with the report proposed to be presented to the House has been vitiated or not.

Mr. PRESIDENT: Is it your contention that a non-member Minister cannot preside over the Select Committee of the House?

Khan Bahadur NAZIRUDDIN AHMAD: I was informed that an opinion has been received from the Advocate-General to the effect that a non-member Minister of a House cannot preside over a Select Committee; and if he does so, according to the Advocate-General the proceedings would be illegal. Before further discussion takes place on the point raised by the Deputy President, we would like to have before us the full text of the Advocate-General's opinion referred to. It raises a serious and a very

important issue. For, in our House, the Ministers are, with a single exception, non-members. But they have always, with the consent of the members of Select Committees, presided over these bodies. The question was never raised in this House. I consider it very proper that the Minister in charge of the department concerned, if elected, should be allowed to preside over a Select Committee relating to his department. But if it is illegal and *ultra vires*, the matter stands on a different footing. I submit, Sir, fuller information should be obtained and a time should be fixed to allow us to discuss the matter, as the point is of great constitutional importance.

Mr. HUMAYUN KABIR: Sir, I agree that this question should be discussed. If I remember aright, it was once before raised in this House about 3 or 4 years ago. At that time, if I am not mistaken, Sir, you were pleased to tell us—I do not remember if it was a ruling—that a non-member Minister could preside over a Select Committee. If, however, it is the opinion of the Advocate-General that presiding by a non-member Minister makes legislation void *ab initio*, I think, Sir, very serious consequences will follow. The Bengal Tenancy Act which was passed after consideration by a Select Committee, was presided over by the then Minister who was then not a member of the House. I think, it was at that time that the question of the Chairmanship of a Select Committee by a non-member Minister was raised. I entirely agree with my honourable friend that this matter should be discussed; and if that is really the position, we should go into the matter thoroughly. But I would suggest that in the meantime the matter might be proceeded with on the analogy of other Bills which have been discussed in this House and actually enacted. If, however, the Bill is void *ab initio*, then I think the other Bills also will be void *ab initio*. I would, therefore, request Government also to consider what would be the position with regard to the Money-lenders Act, the Bengal Tenancy (Amendment) Act and all the other pieces of legislation which we have passed in the course of the last five years. Therefore, my submission is that we should take up this question at a later date and have a specific day allotted for discussing this question in all its aspects.

The Hon'ble Mr. SANTOSH KUMAR BASU: May I just say a few words, Sir?

Mr. PRESIDENT: Yes.

The Hon'ble Mr. SANTOSH KUMAR BASU: The rule of this House which is relevant to this matter is rule 56. I may place the entire rule before the House as it may probably obviate the difficulty visualised by the Deputy President. Rule 56 runs as follows:—

"56. (*1*) A Select Committee shall consist of not more than eleven members.

(*2*) The Minister in charge of the department to which a Bill relates, the member who introduced the Bill and other members of the Select

Committee shall be named as members in the motion proposing the appointment of the Committee in such a manner as to represent, as far as possible, the different parties in the Council.

(3) (*i*) The Minister in charge of the department to which a Bill relates shall, if he is a member of the Council, ordinarily be the Chairman of the Committee.

(3) (*ii*) If such Minister is not a member of the Council, the Committee shall choose a member of the Committee to be their Chairman."

In this particular case, so far as my recollection goes, I was named as a member of the Committee, and I was also chosen to be the Chairman of the Committee. So the difficulty pointed out by the Deputy President is obviated, in my submission.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, may I explain that the point which arose in another place was exactly similar to this? The Minister whose chairmanship was under discussion had also been actually elected Chairman of the Select Committee. In spite of that fact, the learned Advocate-General is reported to have given the opinion that the procedure adopted was *ultra vires*.

The Hon'ble Mr. SANTOSH KUMAR BASU: But that was in accordance with the rules of the Assembly; the two chambers have different rules. We act here under the rules of this House.

Khan Bahadur NAZIRUDDIN AHMAD: But the Advocate-General's opinion is very sweeping. He has based his opinion on constitutional and other absolutely substantial grounds.

The Hon'ble Mr. SANTOSH KUMAR BASU: The Advocate-General's opinion is not before the House. As I have said, we are governed here by the rules of this House and as the fact remains that the Select Committee chose one of its members as Chairman, quite irrespective of the fact that that member happened to be the Minister in charge of the department to which the Bill related, why should not this rule come into operation and invest the Minister with the authority and the right to preside over the meetings of the Select Committee?

Khan Bahadur ATAUR RAHMAN: I think, Sir, we cannot usefully discuss this question because we have not got the Advocate-General's opinion before us. First of all, I would like to know whether the Advocate-General gave his opinion or ruling based on the provisions of the Assembly Procedure Rules or on any of the provisions of the Government of India Act, 1935.

Mr. PRESIDENT: Order, order. The opinion of the Advocate-General is certainly entitled to consideration, but it is not in any way binding on the Chair. This House is guided by our own rules and the Statute and not by any precedent or the opinion of any legal expert.

Mr. HUMAYUN KABIR: What I was submitting, Sir, is that as our rules stand at the present moment, there is nothing in them which can prevent the election of the Minister in charge of the department concerned from being the Chairman of a Select Committee. If the Minister is named as a member of the Committee in virtue of a previous sub-section to the rule, then he is entitled to be elected the Chairman of the Committee under rule 56 (*3*) (*ii*). And as far as the legal question is concerned, the Chair has not yet given a ruling, but it once gave us a direction—without exactly giving a ruling——

Mr. PRESIDENT: Order, order. I think I had occasion to give a ruling on this question on a point raised when Mr. Nalini Ranjan Sarker wanted to initiate a Bill in this House. The question then raised was as to whether a non-member Minister could initiate any Bill, and I gave my ruling that such a Minister had the right to initiate Bills in this House, as he was thereby merely taking part in its proceedings. And I further held that even apart from the question of voting, the right of a non-member Minister was not co-extensive with those of the members of the House. The members of the House have larger powers. I quoted the definition of the term "member" from the Governor's Rules at that time. According to that definition, non-member Ministers may not form a quorum in the House; nor can a vote of censure be moved against the Chair by a non-member Minister. Of course, it is accepted that non-member Ministers have the right to speak and take part in the proceedings of the House. But if you once concede that they have a right to take part in the proceedings of a Select Committee, then there is no reason why on the same analogy there should be any bar to their presiding over the meetings of the House. However, the point raised is not altogether free from doubt. It has been pointed out that in the past non-member Ministers presided over meetings of the Select Committees and the proceedings of those Committees were treated as valid. But we should not follow precedents if they are subsequently found to be against the Statute or our rules.

However, we need not be anxious about the proceedings of Select Committees in the past though they might have been based on a wrong procedure, as such irregularities of procedure are cured by the provisions of section 87 of the Government of India Act, 1935. I propose to give my ruling on the point raised later on, after fuller consideration of the question in all its bearings.

Motions under rule 112 of the Bengal Legislative Council Procedure Rules.

Mr. NUR AHMED: I beg to move that an address be presented to His Excellency the Governor of Bengal, through the Hon'ble the President of the Bengal Legislative Council, requesting His Excellency to move proper authorities urging upon them the necessity of the discontinuance of recruitment to the Civil Branch of the Indian Medical Service as early as possible.

Sir, this is a matter which concerns one of the very important branches of the Indian Civil Service which concerns a great many people of India. Sir, there is a misapprehension about the purpose and purport of this address. I do not move this motion in any spirit of racial discrimination. My only purpose is to effect discontinuance of recruitment to the Civil Branch of the Indian Medical Service. It will be seen from section 244 of the Government of India Act, 1935, that since the introduction of provincial autonomy the recruitment to the Civil Branch of the Indian Medical Service would be reserved to the Secretary of State. Sir, the standard of qualification is so high that very few Indians are appointed to this service. That is one reason why this recruitment should be discontinued. There is another very cogent reason why this present arrangement should be discontinued. The Indian Medical Service is primarily a military service and is reserved for military purposes and nearly 62 per cent. of the persons employed in this service owe their allegiance not to the respective provinces where they are attached, not to the Hon'ble Ministers, but they are responsible to the Commander-in-chief and other military officers. Moreover, these people are temporarily appointed and wherever there is necessity they are sent. So, the provinces do not get any benefit from these persons. Sir, this question of making the Indian Medical Service a wholly independent service had been raised in the past and several members of the Imperial Legislative Council also had raised this question in that House and elsewhere. Agitation had been carried on by the Indian Medical Asosciation from year to year. So long ago as 1903 Lord Morley, the then Secretary of State for India, proposed to form an Indian Medical Service in place of the present one, but the Government of India first agreed and then disagreed. So the proposal fell through. Then in 1911 the question was again considered in the Army Department of the Government of India. It was again proposed to make the Indian Medical Service purely a civil service. But as the officers of this service might be required for military purposes the Director-General, Indian Medical Service, did not agree. Consequently, that proposal also fell through. Then the Indian Public Service Commission which was appointed in 1914 and which published its report in 1917, considered this question, but unfortunately that Committee also did not consider the abolition necessary. On March 8 of 1911, Mr. Shastri moved a resolution in the Imperial Legislative Council recommending the constitution of a Medical Service independent of army organisation, but unfortunately that resolution was not carried, and that unsatisfactory state of employing surplus officers in the army was going on. Sir, it is estimated that there are nearly 40,000 Indian medical men in India and some of them are very worthy of their profession and can be entrusted with any work. But very few men from the Provincial Service have been promoted to this service which is more important and at the same time very lucrative. Sir, there is another point for discontinuing recruitment to the Civil Branch of the Indian Medical Service. Formerly when the Public Health Department was not transferred to the district board, the medical officers of the Indian Medical Service used to be the district head of the Public

Health Department. But since the transference, they only serve as Superintendents of Jails and such other duties. Sir, from that point of view, there is no necessity of further recruitment in the service. If this recruitment is discontinued, what will be the consequences? The services will be filled by promotions from the Provincial Medical Service and a large number of Indians will get the services and will be in a position to serve their own country. With these few words, I move my motion and recommend to the House for its acceptance.

Mr. PRESIDENT: Motion moved: that an address be presented to His Excellency the Governor of Bengal, through the Hon'ble the President of the Bengal Legislative Council, requesting His Excellency to move proper authorities urging upon them the necessity of the discontinuance of recruitment to the Civil Branch of the Indian Medical Service as early as possible.

Rai KESHAB CHANDRA BANERJEE Bahadur: Sir, I have listened with great interest to the speech which the honourable mover has made in moving his motion. Frankly speaking, I could not exactly follow as to what he actually meant. From the terms of the resolution it appears that the Government should be moved to discontinue recruitment to the Civil Branch of the Indian Medical Service as early as possible. But his speech seems to convey the idea that the British Government should be moved to stop recruitment of Europeans to the Civil Branch of the Indian Medical Service. If this is the idea, then, I think, the wordings should be changed because the motion as it stands at present does not convey that idea.

The Hon'ble Mr. SANTOSH KUMAR BASU: Speaking from a personal point of view, and not as representing the Government, my sympathies are with the motion. This question has got a history behind it. It has come up from time to time not only before the Legislature in this country but also before the Services Committee of the Round Table Conference. Sir, for the information of the House I may say that when the allotment of I.M.S. officers was made to the provinces, the Bengal Government stressed that only the minimum number of such officers required for attendance on the British members of the Superior Civil Services in Bengal and their families should be employed in this province. If it was the final decision of the Secretary of State that this province should have a number of I.M.S. officers of the "war reserve," it was suggested that the Central Government should pay for the difference between the emoluments of a B.M.S. Civil Surgeon and those of an I.M.S. officer. The Central Government have partially accepted this latter point. As regards the full payment of the contribution, the Government of India has been moved and their decision is being awaited. I might explain that the position regarding the maintenance of a number of I.M.S. officers in civil employ in the province is this. The Civil Branch of the Indian Medical Service has been retained on the primary consideration of providing an adequate

number of a war reserve which is economical and to meet the requirements of the British members of the Superior Civil Services and their families. So far as these arrangements are concerned, and the necessity for maintaining such a reserve, it is not the Provincial Government which has any say in the matter. These are matters which are ordained from above, to which the Provincial Government can never raise any effective voice of protest even if they wanted to do so. A Provincial Government can only point out the number of officers required for the purposes mentioned, and also discuss the question of financial adjustment with regard to the emoluments of these officers. As I have just now pointed out, Sir, this Government has addressed itself to both these questions. I find on a reference to the old history of the question that the abolition of the Indian Medical Service was recommended by the Services Sub-Committee of the Round Table Conference. The Committee recommended that to meet the needs of a war reserve a sufficient number of officers of the Civil Medical Services should be required to undergo a medical training—the cost being borne by the Military Department. Further, to meet the requirements of the military and of medical attendance it was suggested that the Provincial Government should recruit an adequate number of European doctors in their Civil Medical Services and that arrangements should be made whereby members of the Indian Medical Service who rendered medical service may be so recruited. The I.M.S. officers were, however, to sever their connection with the military on such recruitment, subject to certain conditions.

At the instance of the Secretary of State the opinion of the Provincial Governments was asked for on these proposals in 1931 and the Government of Bengal generally agreed to them and gave their opinion that they did not consider that action in accordance with the recommendation of the Services Sub-Committee would in any way affect the general standard of medical administration in the provinces, provided that the proper type of medical men was recruited and a high standard of administrative efficiency and adequate control were maintained by the autonomous Governments. This Government, however, demurred to the appointment of officers of the Indian Medical Service to the proposed Provincial Civil Medical Service. Subsequently in 1934 the Government of India in their letter, dated the 29th August, 1934, intimated that after considering all the varied and often conflicting interests which made the problem one of peculiar difficulty—the natural desire of the provinces for medical autonomy on the one hand, the requirements of the army on the other, the interests of the service itself and the overriding need of economy—the conclusion had been reached that it would be necessary to retain the Indian Medical Service as an all-India and primarily a military service with a civil branch to provide a war reserve and to meet the requirements of the British members of the Superior Civil Services and their families. Since then statutory provision has been made in the Government of India Act, 1935, for the retention of the Indian Medical Service and power has been kept with the Secretary of State to make appointments to the services and to specify the number and character of the civil posts under the Crown

which are to be filled by persons appointed by him to a civil service of, or a civil post under, the Crown. This is provided in sections 244 and 246 of the Government of India Act. These provisions are to be in force until Parliament otherwise determines. The number and character of the specific posts have since been decided by the Secretary of State under the Indian Medical Services (Civil Reserved Posts) Rules of 1939. I do not want to take the time of the House by entering into the history of this question at any greater length. It will be sufficient for my purpose to show that so far as the Government of Bengal is concerned it has always pleaded for full autonomy as regards the Medical Services. And that is the position which I in my capacity as the Minister in charge will always try, and have always been trying, to maintain. I hope this House will afford its fullest support to that position. There are in the civil employ of the Government, particularly as members of the Bengal Medical Service, men holding eminent positions in the medical profession. I think they can hold their own if they are placed in any capacity in the medical world. That being the position, this is a motion which has got my whole-hearted and fullest sympathy. But as I have already said, it is a matter which is entirely in the hands of the Government of India. All that can be done by this Government, in accordance with the past practice in such cases, is to forward the proceedings of this House to the Government of India, if His Excellency the Governor so desires.

Mr. NUR AHMED: Sir, I am thankful to the Hon'ble Minister for his sympathy with this motion. But I may say a few words in reply to the point raised by my friend Rai Keshab Chandra Banerjee Bahadur. He said that my motion is vague. But it is very clear. I said that recruitment to the Civil Branch of the Indian Medical Service should be discontinued. I find that under section 244 of the Government of India Act, 1935, the recruitment would be made solely by the Secretary of State for India. So, in my motion I have urged the abolition of the entire Service. If further recruitment is stopped, the result will be that the medical men from the Provincial Service will be appointed to these posts. My contention is that men who are already in service will remain, but only further recruitment should be discontinued. I hope this simple motion will be accepted by the House.

Mr. PRESIDENT: The question before the House is: that an address be presented to His Excellency the Governor of Bengal, through the Hon'ble the President of the Bengal Legislative Council, requesting His Excellency to move proper authorities urging upon them the necessity of the discontinuance of recruitment to the Civil Branch of the Indian Medical Service as early as possible.

(The motion was agreed to.)

Mr. NUR AHMED: I beg to move that an address be presented to His Excellency the Governor of Bengal, through the Hon'ble the President of

the Bengal Legislative Council, requesting His Excellency to move the Government of India to urge upon the proper authorities the vital importance of recruiting more cadets from among the Bengalis, both for ordinary and emergency commission, in the Indian Defence Forces.

Sir, with a heavy heart I move this motion as a Bengali. When we look to the history of the Indian Defence Force and Indian Army Force, we find that Bengal has been neglected and ignored always. I was labouring under a false impression that Indians have been very largely recruited even during the present emergent period in India—that is, during the present war. We find from the scant information that is available to us that the Bengal Battalion Force has recently been disbanded for administrative reason. More than a year ago I moved a resolution in this House urging the necessity for removing the distinction between martial and non-martial races in respect of Bengal, and it was announced that that distinction will be removed if a Bengali regiment is formed, but in actual practice we find that even the Indian Territorial Force has been disbanded. Sir, there is another important fact which requires more urgent consideration of this House. And this is the fact that Bengal leads the other provinces in population, in intellect, in education and in other respects. But the pity is, in this vital matter Bengal is not given any position at all. We find that during the last war only 7,117 combatants were recruited from Bengal and 51,935 non-combatants. Whereas from Madras 51,000 combatants were recruited and from the Punjab nearly 300,000 combatants. When the war is nearer the door of Bengal, we are finding that the people of other provinces are coming here to defend us. Is it not a great shame and humiliation to think of that? In the last war many sailors from Bengal lost their lives on the high seas. The Bengalis then proved worthy of their positions. Even in that war the sacrifice of the Bengali soldiers was brought to the notice of the authorities. So is it not a shame to find that people from other provinces will come here to defend our hearths and homes. The Bengali Battalion was sent to Mesopotamia in the last war under the name of the 49th Bengali Regiment; there they had distinguished themselves. But in this war we find that even the Indian Territorial Force has been disbanded. Sir, this is not a new matter coming up before the House. I have limited my motion to one aspect of the armed service, the recruitment of more cadets for ordinary and emergency commission. The pilots of Bengal, whose number as far as my information goes is only 500, have proved their worth and some of them have distinguished themselves in their work. Bengalis employed in the motor transport service have also proved their worth, and I do not understand why these Bengalis should not be taken in in larger numbers in the Emergency Commission. This is a question which has been agitating the minds of all great Indians for many years, and I do not like to go into the history of this question. My prayer is very simple. There are the best Bengalis available who can be recruited for the Emergency Commission. Unfortunately, the actual numbers are not available because they are kept as secret for public interest. So how many Bengalis are serving in the Emergency Commission is not known to me. But my information is

that their number is very limited. I think there will be no two opinions about this subject matter of the motion, and I appeal to the House to accept my motion.

Mr. PRESIDENT: Motion moved: that an address be presented to His Excellency the Governor of Bengal through the Hon'ble the President of the Bengal Legislative Council requesting His Excellency to move the Government of India to urge upon the proper authorities the vital importance of recruiting more cadets from among the Bengalis, both for ordinary and emergency commission, in the Indian Forces.

Rai KESHAB CHANDRA BANERJEE Bahadur: May I have your permission, Sir, to move a short-notice amendment?

Mr. PRESIDENT: I shall not accept any short-notice amendment of which even a copy has not been supplied to the Chair.

Mr. B. K. ROY CHOWDHURY: Sir, it gives me great pleasure to support the motion of my friend Mr. Nur Ahmed. It is a sad commentary upon British rule in this country that until 1918 no Indian was appointed as a commissioned officer in the so-called Indian Army. Since then the policy of the Government was modified no doubt, but even this modification had very little effect on the personnel of the officer ranks of the army. I may, Sir, refer in this connection to the parallel case of China. Before 1924 there was no military school worth the name in that country to train army officers. It was only in 1924 that the Whampa Military Academy was set up. To-day this central institution, now located near Chungking, has seven branches of its own. Besides, a large number of specialized schools has also been established and among them they are training every year thousands and thousands of officers who have taken charge of the different arms of the vast army now fighting so tenaciously the aggressors from abroad. While this is the picture of China, compare it, Sir, with the position in which India stands. Even on the eve of the present war, after 25 years of effort, only a handful of Indian officers could be trained and recruited to our army. Nor have we any information as to the number of Indians appointed as commissioned officers during the last three years.

Not only very few Indians have been admitted to the King's Commission, but what is more, Sir, even in respect of this small Indian recruitment, the policy of the Government is not uniform in all parts of the country. The theory of the martial and non-martial races was sponsored years ago. According to this theory some particular groups of the Indian people have been alone regarded as eligible for admission to the army, while the other groups are left out as ineligible for such admission. It is true that recently the ban on the so-called non-martial races was lifted. But, Sir, every one in this House will admit that the ban has been lifted only theoretically, while in practice it remains virtually as effective as before. Even the other day the British Prime Minister emphasised the distinction between the two

groups with gusto. No theory is more spurious and unsupported by facts and experience than this theory of the martial and non-martial races in India. Unfortunately, however, it has been allowed to work so far to the great detriment of our interests.

In respect of cadets chosen for Military Academy at Dehra Dun, there is not only reservation of seats for the sons of soldiers but what is more, in regard to expenses also a considerable concession is made to them, while the cadets without such advantageous birth have to meet the huge expenses entailed in the training at the Dun academy. It is our demand, Sir, that this distinction between the martial and the non-martial classes, both in respect of recruitment and in respect of other advantages, should be done away with without delay. Fair play and no favour should be our motto in every field of public service. At the same time, it is urgent that the number of training schools should be considerably increased and admissions to them should be made on a far larger scale. With these few words, Sir, I support the motion of Mr. Ahmed.

Rai KESHAB CHANDRA BANERJEE Bahadur: Sir, as one responsible for the passing of similar resolutions on three previous occasions, I feel it my duty to accord my whole-hearted support to the motion which has been moved by my friend Mr. Nur Ahmed. Sir, there are two kinds of Commissions for which candidates are being recruited, namely, the Viceroy's Commission and the King's Commission, which is also called the Emergency Commission. There is no such thing as "Ordinary Commission." I think my friend means the Viceroy's Commission in which one can secure the Indian rank of Subadar and Havildar. So far as the terms of the motion are concerned, I feel that the Army Department of the Government of India have not been generous to the Bengali recruits. Divisional Committees have been set up in the five divisions of Bengal to interview and select candidates for recruitment for the Emergency Commission. The members of the Divisional Committees select certain candidates and send up their names to Fort William where they are medically examined. Those who are found physically fit for a career in the army are asked to proceed either to Jubbulpore or Delhi or to some other centre for final interview and selection. So far as the Dacca Division is concerned, I can say from my personal experience as a member of the Divisional Selection Committee that very few Bengalis have so far been recruited for the King's Commission. Soon after the outbreak of the present war, the Bengal Coastal Battery was formed and Bengalis were given a chance of offering themselves for recruitment in that branch of the service. Members of the House must have noticed in the newspapers that the army authorities in India have expressed in no uncertain terms their unstinted admiration of the efficiency, dutifulness and discipline of the members of the Bengal Coastal Battery. It is really distressing and disappointing to find that although the Bengalis have so far rendered a good account of themselves as efficient gunners, recruitment to the Indian Land and Air Forces has been practically shut out to the Bengalis as a race. Sir, the resolution of Mr. Nur Ahmed makes a

very modest demand. When the enemy is knocking at our gates, I think it is not unreasonable for us to expect better treatment at the hands of the Government of India whose mistrust and suspicion of the Bengalis are responsible for the present state of things. The Bengalis are declared to be a non-martial race and as such not suitable for military service. This is an unwarranted reflection on the capacity of the Bengalis to bear arms which is not borne out by history. We should, therefore, be unanimous in our recommendation and pass the motion. We should also request the Hon'ble the Chief Minister who is in charge of the Home portfolio to forward it to the Government of India with a favourable note from the local Government. It is, indeed, true that physical fitness is an essential factor in such cases, but it is not the only qualification that counts. The general physique of an average Bengali youth may not be quite up to the mark like that of a Punjabi or an upcountry recruit; but so far as intelligence goes, which is the only criterion for leadership, Bengalis are not inferior in any respect to their colleagues from the other provinces. With these few words, I beg to support the motion.

Mr. HUMAYUN KABIR: Sir, it is with regret that I support this motion—regret that even in the year of grace 1942 we should have to move a motion like this for discussion in the House. As the honourable member who spoke just before me pointed out, he himself had occasion to bring a motion like this two or three Sessions ago. It is almost like a hardy annual, and year after year these addresses—that Bengalis should be recruited to the commissioned rank of the Indian Army—are forwarded to the Government of India, and probably thrown into the waste-paper basket, for so far as we know, very little action has been taken on any such address by the Government of India. It is not true to say that Bengalis have not proved their fitness in the army. In spite of the very narrow and limited opportunities which have been offered to them in the army, they have proved their fitness very well. On a previous occasion, when a motion like this was being discussed in this House, Sir Nazimuddin, then Minister in charge of the Home Department, gave out that Sir Sikander Hyat Khan was compelled to admit that so far as the Indian Air Force was concerned, the Bengalis proved to be the best among the Indian recruits. The speaker who spoke just before me stated that Bengalis have a poor physique. That is not exactly a correct statement, because there are men—I am not talking of the town-dwellers, those belonging to the learned professions, men of letters, who may have got a poor physique—there are men in Eastern Bengal and West Bengal, the so-called uneducated and lower classes, who are specimens of as fine a physique as may be found anywhere in the world. Fine specimens of physique will also be found among the Indian sailors working in the Marine Services in the dock-yards and wharfs. It is not true to say that Bengalis are generally poor in physique. But, Sir, it is neither here nor there. Reference was also made to-day to the distinction between martial and non-martial races—a spurious, stupid and dishonest distinction which was sought to be imposed upon the people of this country, a distinction which was sought to be introduced in order to

brand a certain section of the people as unfit for military work. This distinction is as absurd as the racial theories which the Nazis profess in regard to their own superiority. The whole of Indian history shows that Bengalis have always fought to the very last against the Centre to resist its domination over them. Throughout the Hindu period, the Pathan period and the Moghul period we find this resistance of Bengal. Whenever there was any weakening in the Centre, the Bengalis took to arms to sever their connection from the Centre. Therefore, this distinction of martial and non-martial races is a spurious and dishonest distinction, a dishonest distinction which was created after the Sepoy Mutiny of 1857. This dishonest distinction has become a source of danger to-day. If half of the manhood of this country is engaged for the purpose of defending the land, there is no doubt that we can put up a much better resistance against our common enemy. If the common enemy is really to be fought, he has to be fought by the nationals of the province. People from other provinces cannot put up that sort of resistance which we can do. After all, the interest of this province cannot be looked after by them as by us. The people of this province alone can put up the necessary resistance as the people of Russia and China have shown. Foreigners failed in Burma and Malaya but the natives of China and Russia have overcome impossible odds. There is another advantage if the people of the respective provinces are engaged. They know the localities well, they are well acquainted with the topography of the land. If people from outside are recruited, they will feel these difficulties. I would urge that persons may be recruited to the King's Commission and the Viceroy's Commission from all the provinces. I understand that the present Government has been making attempts, so that an army and Home Guards may be created from Bengal. I do not know what success their efforts will meet. We find from the personnel of the present army that there are no Bengalis in the general ranks of the army. There are practically no Bengalis in the different Commissions. That is why I said at the very outset that it is with regret that I am supporting this resolution. It is a pity, Sir, that in the year of grace 1942, when the enemy is on the threshold of Bengal, threatening and waiting to attack Bengal, the authorities are still doubting the ability and courage and devotion of the Bengali people to defend their motherland. The authorities are forgetting that it is they who will defend their land and sacrifice everything they possess.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, my esteemed friend Mr. Nur Ahmed has a knack of bringing forward resolutions which contains recommendations with which we can all generally agree. The present resolution is one which is extremely welcome at the present moment, because it gives me an opportunity of telling my friends in this House that the present Government have taken up this question in right earnest and even doing all that can possibly be done in order to give the people of Bengal an opportunity of showing that the brand of inferiority as belonging to the non-martial race is a calumny which we can no longer accept. We have pressed upon His Excellency to take steps immediately to raise a Bengali

Army of a lakh of men in which all the communities would be represented, opportunities would be given to Bengalis to show that not merely in the world of politics or literature or intellectual activities but that physically the Bengalis are not behind hand, that they know how to defend themselves. We have been faced with many disadvantages. There was a time when the *fatwa* went out that we are unfit. That was proved to be an absolute false theory. Then there was the aspersion that the Bengalis are timid. Events have shown that that charge is groundless. Then there was the suspicion that the Bengalis are incapable of sustained work. Experiences have shown that nothing can be further from truth than a statement like that. All things combined have gradually shown that the Bengalis are capable of giving a good account of themselves only if they are given an opportunity. In the field of sports, the Bengalis have come out topmost. As regards aerial service it is well known that Bengali pilots have proved to be the best amongst the Indian pilots. As has been pointed out by my friend Mr. Humayun Kabir, on the high seas it is Bengalis who have earned reputation second to none amongst those who are known as sailors.

The Hon'ble Mr. SANTOSH KUMAR BASU: Coastal Battery.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am reminded also of the Coastal Battery. I have been on board the steamer on several occasions, and I have seen the kind of work that Bengalis do, and the appreciation which they get from the Captains. In these circumstances, it seems to us to be the height of injustice—I was going to say height of folly—to brand us unnecessarily, unless there is any justification. If today we have a Bengali regiment, how useful it would hav been for the defence of our motherland. It is true that the British Prime Minister has pointed out that the country is flooded with white soldiers. We need not have given these gentlemen any trouble to defend us if we were only given opportunity to defend ourselves. We know how to defend our hearths and homes because we know every nook and corner of the country. I, therefore, think that this is a very useful motion. If it is found that members of the House are in favour of a proposal like this, I feel that the time will very soon come when our dreams should be realised. Sir, I do not want to take the time of the House. I expect every one is in sympathy with the motion and would like to see it implemented. We would forward a copy of the discussion of the House to the proper quarter.

Mr. PRESIDENT: The question before the House is: that an address be presented to His Excellency the Governor of Bengal, through the Hon'ble the President of the Bengal Legislative Council, requesting His Excellency to move the Government of India to urge upon the proper authorities the vital importance of recruiting more cadets from among the Bengalis, both for ordinary and emergency commission, in the Indian Defence Forces.

(The motion was agreed to.)

NON-OFFICIAL RESOLUTIONS.

Release of Mr. Sarat Chandra Bose.

Mr. PRESIDENT: The House will now take up non-official resolutions.

Mr. HUMAYUN KABIR: Sir, may I enquire as to what has happened to the motion of which I gave notice that an address be presented to His Excellency the Governor under section 112 of the rules of this House expressing the widespread dissatisfaction in the country caused by the statement of the British Prime Minister?

Mr. PRESIDENT: You will get a reply through the usual channel. Further discussion of the resolution of Mr. Amulya Dhone Roy which was moved on the 27th February, 1942, will now be proceeded with. The resolution is as follows:—

"That this Council is of opinion that the Government of Bengal do immediately take all possible steps to secure the release of Mr. Sarat Chandra Bose now in detention in the Trinchinopoly Jail."

Mr. HUMAYUN KABIR: Sir, I do not wish to take much time of the House in supporting the resolution. This is a motion which I think has the support of every section of the House. No definite charges were substantiated against Mr. Sarat Chandra Bose. Till such charges can be substantiated, I do not think that this House along with many others of our countrymen will accept the allegations that have been made against him, even though these allegations were made by a gentleman who occupies a responsible position in the Government of India. But we know that in very many cases such allegations are made without foundation. More often they are based on conjectures and evidence on which they are based will hardly stand scrutiny by a responsible judicial authority. I hope, therefore, that the Government of Bengal will, at any rate, try to move the Government of India to place the evidence against Mr. Sarat Chandra Bose before a competent judicial authority who may even be appointed by the Government of India themselves. If the evidence be placed before the Chief Justice of India and if he gives an opinion, then I think that opinion would probably receive greater respect from the public than allegations made by Government officials. Executive officers very often lack a judicial temperament, and that is an additional reason why these unsubstantiated charges should not be made use of in order to keep Mr. Bose under detention.

With these few words, I whole-heartedly wish to associate myself with the resolution which has been moved in order to induce the Government of Bengal to do what they can in this matter. We know that their powers in this regard are limited, but we hope that they will do what they can for the release of Mr. Sarat Chandra Bose.

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not think I need detain the House very long in replying to this motion. The resolution contains a recommendation that the Government of Bengal should take all possible steps in order to secure the release of Mr. Sarat Chandra Bose. I may tell the House that, we, the Council of Ministers, made representations to the Government of India for the release of Mr. Sarat Chandra Bose and we have taken all possible steps to secure his release. At the present moment he is at a placed called Mercara in Coorg. Honourable members are aware that only a few days ago the Hon'ble Home Member of the Government of India made an announcement in the Central Legislative Assembly that they were not going to release Mr. Bose at the present moment, nor to transfer him to Bengal as we had suggested. If Mr. Sarat Chandra Bose had been sent to Bengal he might have been sent to some sanatorium, for he has not been keeping good health. But the announcement made by the Home Member of the Government of India really puts a full stop to this, so far as the present circumstances are concerned. But we will not relax our effort, and I can assure the House, and we confidently hope, that some time, possibly in the near future, Mr. Sarat Chandra Bose will be released, and all that we can do is to make every attempt for his relief and to forward the proceedings of this House once again in the hope that the recommendation contained in the address will be accepted.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I do not desire to add much to what has been stated by the Hon'ble Chief Minister. But I find from a reference to the proceedings of this House that on a previous occasion some of the honourable members expressed the hope that myself and my honourable colleague, the Judicial Minister, and my other colleagues would leave no stone unturned to secure the release of Mr. Sarat Chandra Bose. I also find that my esteemed and honourable friend Mr. Bose made certain reference to the steps that were taken by the Hon'ble the Chief Minister, Mr. Banerjee and myself with regard to Mr. Sarat Chandra Bose.

I think, Sir, a word or two are called for from me on this matter. I can say without disclosing any secret that so far as I am concerned I have taken the fullest possible opportunity of representing to the very highest quarter the case for the release of Mr. Sarat Chandra Bose. I take the liberty of stating that it is my belief that so far as the Government of Bengal are concerned they are altogether unaware of any grounds which might have actuated the arrest or detention of Mr. Bose. I do not know whether any one on behalf of the Government of Bengal can contradict this statement. In going down to Trichinopoly to see how Mr. Sarat Chandra Bose was faring in the jail, I was actuated by the desire of trying to do my bit for one who I believe was entirely innocent and against whom I do not think the Government of Bengal have got any materials. Now, Sir, I have taken the steps that lay in my power. Similar steps have been taken by the Council of Ministers in making representations to the Government of India. Apart from the question of release of Mr. Bose, the overwhelming

question that overshadows the minds of his countrymen today, those who feel for him and believe in his innocence, is the question of his health and the condition under which he is detained. The recent announcement on the floor of the Central Legislature went to show that he was suffering long and continuously from some malady which from the symptoms which have been disclosed might be extremely difficult to tackle. I do not know, and I hope not, if the indications point to the worst. If they are so, I do hope that the Government of India will take no further time in coming to a decision as to what condition he should be placed under, in view of his failing health. I have seen it stated in the reply which has been given by the Hon'ble the Home Member that the medical gentleman who went all the way from Madras to examine Mr. Sarat Chandra Bose was of opinion that so far as the evening rise of temperature is concerned, that is an ailment from which about half the adult population of India suffer. I am not a medical expert. I make no claim to know or to judge the accuracy of this statement. But if Mr. Sarat Chandra Bose's ailment is such that half the adult population of this country also suffer from it, then it almost appears that nothing may be done to improve his condition. It has been urged on his behalf that whenever an opportunity presents itself he will be placed in a position of comfort, convenience and climate which will be more commensurate with the state of his health. I do hope and I do trust that the Government of India who have always taken the view that they were not going to be cruel towards him will ordain things in such a way that he might be placed under far better conditions and would be restored to the fullest possession of health even if it is decided to keep him under detention for some time more.

Mr. AMULYADHONE ROY: Sir, in view of what has fallen from the Hon'ble the Chief Minister and the Hon'ble Mr. Santosh Kumar Basu, I feel I have got nothing to add in commending my resolution to the acceptance of the House. But I hope and trust that the Hon'ble Ministers will go on as before impressing on the Government of India that Mr. Sarat Chandra Bose should be released and further they must see that Mr. Sarat Chandra Bose is properly treated and his health is well looked after. That is all that I have got to say.

Mr. PRESIDENT: The question before the House is: that this Council is of opinion that the Government of Bengal do immediately take all possible steps to secure the release of Mr. Sarat Chandra Bose now in detention in the Trichinopoly Central Jail.

(The resolution was agreed to.)

Dissemination of knowledge about nutritive value of proper diet.

Mr. NUR AHMED: Sir, I beg to move that this Council is of opinion that the necessity of disseminating in the province of Bengal on a larger scale knowledge about nutritive value of proper diet in the preservation of health on an organised basis be urged upon the Government of Bengal.

Sir, this is a very simple resolution. It concerns a matter which is of vital importance to a nation. The health of a nation is a very important subject and no stone should be left unturned to improve the health of a nation. Sir, the Bengalis who were once renowned for their physique are deteriorating in health standard year after year. And for what? On account of the scourage of malaria, on account of the scourage of tuberculosis, and on account of other diseases which are taking heavy tolls every year. Medical opinion says that Bengal is suffering from many preventible diseases, but for want of protective food, for want of knowledge on proper dietary and due to undernourishment we are getting poor health. Some years ago, as Lord Minto remarked the Bengali race was very strong in physique and that showed that they compared favourably with the people of other provinces. But, alas, today we find that they have deteriorated very awfully in their health. This question of proper diet can be considered from many aspects—from economic point of view, from physical point of view, from public health point of view and from moral point of view. Sir, this matter is so important and its importance is so patent that I need not dwell on this question at length. I should not take up the very valuable time of the House. My prayer is very simple. I am conscious of the fact that some propaganda is being carried on in this direction, but in my opinion it is sufficient to say that people die because they do not get proper food. The propaganda party show some cinema shows. These attract villagers, and some lectures are delivered, but these villagers take these by way of *tamasha*. They think they have come to see a *tamasha*. They do not take it very seriously. My suggestions are that propaganda should be undertaken for the spread of knowledge of proper diet on an organised basis. In other civilised countries like the United States, free kitchens are opened and there people are told about proper diet by actual practice. In France about 490 municipalities have opened free kitchens for supplying proper food, and there the people can learn. My suggestion is that this matter should be taken up by the Hon'ble Minister in all seriousness. In schools and colleges, students should be taught the proper value of diet and of the kind of diet they should take and they should be given practical lessons. Sometimes they should be asked to take these scientific foods and when the propaganda parties go to villages they should ask the co-operation of the villagers, by pamphlets or by posters or by any other means. This knowledge should be propagated or should be brought to the notice of the villagers. It is not want of money for purchasing proper food; the things are there in Bengal—vegetables and fruits are here in plenty, but for want of knowledge the people do not take proper foods, and the result is disastrous. They are deteriorating in health, and they do not know how to protect themselves against disease and, therefore, fall victims to various diseases, which are due to deficiency in vitamins, such as scurvy, blindness, tuberculosis, but many other diseases also are due to not knowing what proper food to take and also to undernourishment. As far as I remember, it was once calculated that a man in Bengal could live on a proper diet at only two annas a day. Sir, although the income of a Bengali is very small, yet I think that a Bengali generally spends two annas a day upon

his food, but this amount is not properly spent. As the matter is very urgent and important, I think I can expect the support of this House for my resolution. Therefore, I do not want to take much time of the House. With these few words I commend my motion to the acceptance of the House.

Mr. PRESIDENT: Resolution moved: that this Council is of opinion that the necessity of disseminating in the Province of Bengal on a larger scale the knowledge about the nutritive value of a proper diet for the preservation of health on an organised basis be urged upon the Government of Bengal.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Sir, may I rise on a point of information? Nowadays we are not receiving the Order Paper of the day and other papers in time. As a matter of fact, I received the papers for yesterday's business on my return home from the chamber. This has been experienced also by other honourable members since the beginning of this Session. It is essential that members should get their papers in time; otherwise, they cannot follow the debates. In fact, nothing can be done. I have brought with me envelopes which show that the list of business despatched on the 15th reached me as late as the 17th.

Mr. PRESIDENT: Is it the contention of the honourable member that these papers have been delayed owing to the negligence on the part of my office or on the part of the Postal Department?

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: I do not know, Sir. But my request is that you should please make arrangements so that we can get these papers in time—whether it be by messengers or by post.

Mr. AMULYA DHONE ROY: With all humality, Sir, I may submit that this is a general grievance this Session.

Mr. NARESH NATH MUKHERJEE: In my case, Sir, I find that the agenda which was posted at 10 a.m. on a particular date, was received at 10 a.m. at the Entally Post Office on the day following. I would, therefore, suggest, Sir, that the Sercetary may see that the papers for any sitting be despatched by post by 5 o'clock on the previous day. This will enable us to obtain delivery of these papers by 10 o'clock next day before we go out on our day's work.

Mr. PRESIDENT: I am very sorry that honourable members have been inconvenienced by receiving the Order Papers etc. very late. I quite agree that if Order papers cannot be had in proper time, transaction of business in the House becomes difficult. So far as the Postal Department is concerned, the Provincial Government is helpless. Therefore, the other alternative is to have two or three extra cycle peons. This will certainly mean additional menial staff as also some additional cost, and I would request the Leader of the House to ask his colleague, the Hon'ble Finance

Minister if that cannot be done for this Session. It will mean economy also, for postal charges are also heavy nowadays. Therefore, for the few days of the present Session, I suggest that two or three additional cycle peons may be placed at the disposal of my office so that honourable members may get their papers in time.

The Hon'ble Khan Bahadur M. ABDUL KARIM: If the Hon'ble President so desires, some peons of my office may be employed to circulate notices to the members. That is the only possible way in which I can help the Council Department at present.

Mr. PRESIDENT: We are very short of peons and if we can get some extra men either from the Hon'ble Leader of the House's office or from any other departments, the work can be carried on smoothly for the present and permanent arrangement can be made later on.

The Hon'ble Khan Bahadur M. ABDUL KARIM: I can also arrange for the distribution of the notices by the Central Despatch Office, if that be convenient.

Mr. PRESIDENT: So far as the Central Despatch Office is concerned, we approached them but they refused to take up the work—they even did not accept the covers.

The Hon'ble Khan Bahadur M. ABDUL KARIM: All right, I shall move the Finance Department to arrange for some peons. But this Session will be very short and the next sitting is on the 24th; so I do not think there will be any diffifficulty of distributing notices within the intervening period. From the next Session, some arrangement may be made, and I shall move the Finance Department for this.

The Hon'ble Mr. SANTOSH KUMAR BASU: Mr. President, Sir, the question that has been raised in this resolution by my friend is an important one. He wants the Government to take steps for dissemination on a larger scale of knowledge about nutritive value of proper diet in the preservation of health on an organised basis.

Now, Sir, I might inform the House that the Government have not been idle in this matter. A dietary and nutritive survey has already been undertaken by the Public Health Department for a period covering four years with effect from November, 1937. The staff consists of one Assistant Surgeon, three Sub-Assistant Surgeons (including one lady doctor), one clerk and four peons. The survey has been extended up to the end of the current financial year, *i.e.*, 1942-43. The survey has been undertaken at the instance of the Indian Research Fund Association. In pursuance of a resolution passed at the first meeting of the Central Advisory Board of Health on this subjject, a circular letter was issued to all authorities concerned in this province asking for their co-operation in every possible way with the

nutrition and dietary surveys in all the districts selected for the purpose. They are now engaged on statistical analysis of the data thus collected. It is essential that there should first be a survey before such propaganda on an organised scale can be of any value. It is probably known to my friends here that the Government of India have also undertaken an examination of the dietary value of the foodstuffs which are generally used by the people of this country including vegetables and other articles of food. All those data when available will form a very good material for propaganda purpose as visualised in the resolution before the House.

A Nutrition Sub-Comimttee of the Sanitary Board has been constituted with a view to co-ordinate the activities of all agencies in the Province in regard to nutrition. Propaganda is already being conducted by the Publicity Department of the Government of Bengal in regard to articles of food, etc., utilising all available materials about the nutritive value of Indian food and the planning of satisfactory diets. The Department of Public Health has also under consideration a scheme for Public Health Education and Propaganda to be placed under the control of the Director of Public Health, as distinct from the Publicity staff under the Publicity Department of the Home Department. If this scheme is finally approved by Government, it will be possible to undertake propaganda on a larger and more organised scale on the basis of the finding of the Nutrition and Dietary Survey that has been undertaken now. In the meantime, Government will not be idle and they have been taking steps to carry on propaganda as visualised in the resolution before the House.

Mr. NUR AHMED: Sir, I have nothing further to add.

Mr. PRESIDENT: The question before the House is: that this Council is of opinion that the necessity of disseminating in the Province of Bengal on a larger scale knowledge about nutritive value of proper diet in the preservation of health on an organised basis be urged upon the Government of Bengal.

(The resolution was agreed to.)

Mr. PRESIDENT: The House stands adjourned till 2-15 p.m. on Thursday, the 24th September, 1942.

Adjournment.

The Council then adjourned till 2-15 p.m. on Thursday, the 24th September, 1942.

Members absent.

The following members were absent from the meeting held on the 18th September, 1942:—

(1) Rai Bahadur M. N. Bose.
(2) Mr. S. C. Chakraverti.
(3) Mr. B. C. Datta.
(4) Mr. N. C. Datta.
(5) Mrs. K. D'Rozario.
(6) Mr. K. K. Dutta.
(7) Khan Bahadur Alhadj Khwaja Muhammad Esmail.
(8) Mr. Mohamed Hossain.
(9) Mr. Kanai Lal Goswami.
(10) Khan Bahadur Syed Muhammad Ghaziul Huq.
(11) Maulana Muhammad Akram Khan.
(12) Mr. W. B. G. Laidlaw.
(13) Mr. J. McFarlane.
(14) Dr. R. K. Mookerjee.
(15) Mr. R. Pal Chowdhury.
(16) Dr. K. S. Ray.
(17) Mr. K. C. Roy Chowdhury.
(18) Rai Sahib J. M. Sen.

B. G. Press—1942-43—6978A—750.

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 4.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 24th September, 1942, at 2-15 p.m., being the fourth day of the Second Session of 1942, pursuant to section 62 (2) (*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

QUESTIONS AND ANSWERS

The Hon'ble Khan Bahadur M. ABDUL KARIM: May I request that the first four questions standing in the name of the Hon'ble the Nawab Bahadur of Dacca do stand over for the present as he is unavoidably absent?

Mr. HAMIDUL HUQ CHOWDHURY: May I know when the questions are likely to be answered?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I can myself answer these questions, but I shall not be able to answer the supplementary questions. These questions may, therefore, stand over till Monday.

False personations at elections.

14. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) if it is a fact that the offence of false personation at the polling of elections held for the local bodies has increased in Bengal;

(*b*) what steps the Government of Bengal have taken or propose to take to prevent false personation and other corrupt practices at the elections to the local bodies; if not, why not;

(*c*) whether the Government propose to make the false personation a cognisable offence in Bengal by suitable legislation; if not, why not;

(*d*) whether the Government are aware that in Madras, the United Provinces, Bombay and the Punjab Acts have already been passed to make false personation a cognisable offence; and

(*e*) if so, whether the Government propose to pass a similar Act in Bengal; if not, why not?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) Government have no information.

(*b*), (*c*) and (*e*) Government propose to consider the whole question with reference to the existing law relating to corrupt practices.

(*d*) There are such Acts in Bombay and the Punjab but I am not aware of the existence of any such Act in Madras and the United Provinces.

Mr. NUR AHMED: Will the Hon'ble Minister be pleased to make a statement about false personations after ascertaining from the district officials?

The Hon'ble Mr. SANTOSH KUMAR BASU: When specific cases are brought to the notice of the Government, enquiries will be made.

Rural Medical relief scheme.

15. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if his attention has been drawn to a scheme for Rural Medical relief and Public Health in Bengal prepared by the Rural Public Health Reorganisation Sub-Committee of the Indian Medical Association, Bengal Branch?

(*b*) If so, have the Government of Bengal considered the said scheme in detail?

(*c*) Have the Government of Bengal arrived at any decision regarding the full or partial introduction in Bengal of the said scheme or of a similar scheme? If not, why not?

(*d*) Have the Government of Bengal decided to introduce partially the said scheme? If so, which part of the said scheme would be introduced and in what district or districts?

(*e*) Will it be introduced in the district of Chittagong? If not, why not?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) Yes.

(*b*) It is still under consideration.

(*c*) to (*e*) Government have, under their serious consideration, for some time past, a comprehensive scheme of reorganisation of rural public health services of the Province, as drawn up by the Director of Public Health, Bengal. It has been proposed to introduce this scheme in the first instance in 7 selected subdivisions where the District Boards will be willing to accept and co-operate in the scheme. It has not yet been possible to give effect to this proposal mainly because the local bodies concerned could not come to an agreement on the question of control of staff and allocation of financial liability.

The district of Chittagong could not be included in the partial scheme as no communication was received from the District Board.

In view of the present emergency Government are also considering whether such a comprehensive scheme of far-reaching character and considerable financial implications should not be postponed for better times.

Khan Bahadur ATAUR RAHAMAN: Will the Hon'ble Minister be pleased to state since when this scheme of Rural Medical Relief and Public Health has been under consideration?

The Hon'ble Mr. SANTOSH KUMAR BASU: The scheme has been under consideration ever since the Indian Medical Association submitted the same for the consideration of the Government.

Khan Sahib Maulvi ABUL QUASEM: Will the Minister give us the date when the Medical Association submitted the scheme?

The Hon'ble Mr. SANTOSH KUMAR BASU: I cannot give the exact date. I shall have to hunt up the papers.

Deaths from Malaria.

16. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state what was the death rate from malaria in 1940 in Bengal?

(*b*) Is it a fact that the death rate from malaria and the rate of infant mortality increased in 1940 in Bengal?

(*c*) Is it a fact that the cases of malaria are rapidly increasing in number in Chittagong? If so, what steps have the Government taken to check the same?

(*d*) Is it a fact that the death rate amongst the Moslems in Bengal was highest in 1940? If so, what special steps have been taken by the Government to reduce the death rate amongst them?

(*e*) Is it a fact that malaria has broken out in Chittagong in epidemic form this year (in 1942)? If so, what measures have been taken and are being taken to check further spread of malaria there?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) 7·4 per 1,000 of population.

(*b*) No.

(*c*) The figures of malaria cases treated in hospitals and dispensaries show a gradual increase. Liberal quinine grants are being made by Government.

As many as 11 anti-malaria schemes of the District Board were approved by the technical advisers of Government and the Board was advised to approach Government through the proper channel for necessary sanction and allocation of funds.

According to the revised policy of Government a contribution equivalent to two-thirds of the cost is payable by Government and the remaining one-third by the District Board. The District Board appears to have taken no further action in the matter.

(*d*) Yes, but it was lower than the average of the past 10 years. It may be mentioned that birth rate always bears a definite relation to infant mortality and high birth rate is bound to reflect on the death rate and show

an increase in the number of deaths. Birth rate was the highest in the Chittagong district in the year 1940. However, the growth of population in that community is on the upward trend in that district.

In addition to the normal grants mentioned above, special grants for quinine have been made this year.

(*e*) There was no epidemic, but the hospital and dispensary figures for malaria cases showed an increase in the month of May, 1942, on account of the fact that a large number of evacuees suffering from malaria arrived in Chittagong from Burma and Malaya. A statement of the measures taken to check further spread of malaria in the Chittagong district is laid on the Table.

Statement referred to in reply to question No. 16, showing the normal quinine grant allotted to the district of Chittagong and the special help rendered to the district from the beginning of the year 1942-43 up to date for coping with malaria in the district.

NORMAL QUININE GRANT DURING 1942-43.

	Rs.
District Board of Chittagong for free distribution of quinine among hospitals and dispensaries aided and maintained by the District Board ...	8,000
District Board of Chittagong for free distribution of quinine through agencies other than hospitals and dispensaries ...	10,000
Civil Surgeon of Chittagong for free distribution of quinine among hospitals and dispensaries not aided or maintained by the District Board ...	950
District Magistrate of Chittagong for free distribution of quinine through popular agencies ...	1,500
Total ...	20,450

SPECIAL HELP.

Special help to the different local bodies in the district of Chittagong—

	lbs.
Quinine sulphate powder ...	1
Quinine sulphate tablets ...	31
Cinchona febrifuge powder ...	10
Cinchona febrifuge tablets ...	31

Quinine bihydrochloride ampoules—1,000.

N.B.—Besides the above, during the period from the beginning of March, 1942, up to 31st May, 1942, 30 temporary epidemic doctors, 7 compounders and 20 medicine carriers deputed by this department carried out anti-cholera

and anti-epidemic measures including malaria among the Burma evacuees and local evacuees in the district of Chittagong. Three departmental assistant epidemiologists were also sent for this purpose. Thirteen doctors, 5 compounders and 13 medicine carriers are still working in the Chittagong district and will continue to do so until their services are no longer required. The District Board of Chittagong has also been given a grant of Rs.2,000 for medicines.

Khan Sahib Maulvi ABUL QUASEM: Arising out of (*d*), will the Hon'ble Minister please state if the supply of quinine is sufficient and is available in sufficient quantities in the market and if Government are making special grants of quinine to district boards and if in spite of all this there is an acute shortage of quinine in the market leading to deaths in many cases because of want of quinine, what measures have the Government already taken or propose to take to remedy this most painful state of affairs?

The Hon'ble Mr. SANTOSH KUMAR BASU: So far as the state of affairs is concerned, that is very largely true; but as regards the measures which Government intend to take to tackle this state of affairs, they are very actively considering the matter.

Khan Sahib Maulvi ABUL QUASEM: Will the Hon'ble Minister be pleased to state for the behalf of the public, for the assurance of the public, that the measures that the Government are going to take will be taken speedily, because this is now the malaria season and I know from personal experience how virulent the malaria season is in my district and for the matter of that in almost all districts at this time?

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I am afraid I cannot take the responsibility of answering the question as to the measures which are going to be taken by Government by way of a reply to a supplementary question. If the honourable member wants a reply to this question, then he must put down a proper substantive question.

Chittagong Municipality.

17. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) the reasons for superseding the Chittagong Municipality;

(*b*) whether it was superseded on the ground of heavy arrears in the collection of Municipal tax;

(*c*) if the reply to part (*b*) is in the affirmative, whether there are several other Municipalities in Bengal which are more heavily in arrears and yet no steps have been taken to supersede them; and

(*d*) whether the Chittagong Municipality is the only Municipality in which primary education has been made free and compulsory?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) and (*b*) The question of supersession of the Commissioners of this Municipality on account of various irregularities, especially relating to its financial administration, had in fact been raised by the local officers in December last. The state of affairs of the Municipality then appeared to Government to be very serious; but before coming to a final decision, Government asked the local officers to obtain and submit the explanation of the Municipal Commissioners on the various charges of maladministration brought against them.

In the meantime the situation at Chittagong became very grave due to the course of the war in Burma. The Municipality was in a perilous financial condition and was practically bankrupt and even unable to pay its staff. After a very careful consideration of the views of the local officers and the explanation submitted by the Chairman, Government were satisfied that the condition of the Municipality was such that it would be unable to maintain its vital services in the event of a hostile attack. Government, therefore, had no other alternative than to agree to the supersession of the Municipal Commissioners for a period of one year, under rule 51F (*6*) of the Defence of India Rules, on this ground.

(*c*) Does not arise.

(*d*) Yes.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I find, Sir, that no answer has been given to part (*c*) of this question, viz., whether there are several other municipalities in Bengal which are more heavily in arrears and yet no steps have been taken to supersede them. Will the Hon'ble Minister kindly answer this part of the question?

The Hon'ble Mr. SANTOSH KUMAR BASU: I do not think that there are any such municipalities. If there are such municipalities, such cases for supersession are sent up by the local officers to the Government and the Government deal with them on their own merits.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: But will the Hon'ble Minister be pleased to state whether there are other municipalities which are more heavily in arrears than the Chittagong Municipality?

The Hon'ble Mr. SANTOSH KUMAR BASU: No enquiry to that effect is possible.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Is this information not available in the Annual Administration Reports on District Boards and Municipalities which show the financial position of every municipality?

The Hon'ble Mr. SANTOSH KUMAR BASU: If it were merely a question of financial embarrassment, Government would not possibly have taken the step they did; but financial embarrassment in this case was of such a character and resulted in such a high degree of mal-administration that Government were bound to take the step.

Mr. HAMIDUL HUQ CHOWDHURY: The Hon'ble Minister in his answer to (*a*) and (*b*) says that "the state of affairs of the municipality appeared to Government to be very serious; but before coming to a final decision, Government asked the local officers to obtain and submit the explanation" and so on, and he also mentioned about the situation created by the war in Burma. May I know if the supersession was due to war condition or because of mal-administration?

The Hon'ble Mr. SANTOSH KUMAR BASU: It is mentioned in the reply that "the state of affairs of the municipality then appeared to Government to be very serious"—that definitely states that there was mal-administration.

Khan Bahadur NAZIRUDDIN AHMAD: Will the Hon'ble Minister kindly give us an idea as to the different heads of mal-administration?

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes, with the permission of the Chair I will answer this question in as comprehensive a form as I can:—

The question of supersession of the Chittagong Municipality was raised by the Divisional Commissioner in his letter, dated the 4th December, 1941, in which he pointed out that it would be necessary to supersede the Municipal Commissioners very soon if they refused to take steps to restore the municipal finances.

On the 19th December, 1941, the Divisional Commissioner again wrote to Government pointing out various defects in the municipal administration which required rectification and suggested that for this purpose supersession for at least two years would be necessary.

On the 29th December, 1941, the Divisional Commissioner was informed that Government considered that the Municipal Commissioners should be given an opportunity of submitting their explanation and he was requested to frame definite charges and to forward these to Government with the Municipal Commissioners' explanation.

On the 26th February, 1942, the Divisional Commissioner called for the explanation of the municipality on the following eleven charges by the 16th March, 1942:—

(1) That for the last three years there has been habitual incurring of expenditure in great excess of income.

(2) That in consequence the municipality is practically bankrupt, and is unable to pay its staff without improper appropriation of funds earmarked for special purposes.

(3) That the municipal budgets have never been properly framed, but framed in such a way as to conceal in whole or in part, the real state of municipal finances.

(4) That section 112 of the Act is never complied with, inasmuch as a complete and accurate accounts of actual expected receipts and expenditure are never prepared or lodged in the office under section 113.

(5) That for the last three years, rule 26 of the Account Rules has been systematically ignored, inasmuch as the Commissioners have not ascertained and provided for all existing liabilities which cannot be liquidated before the commencement of the year.

(6) That in consequence, the Commissioners have incurred a steadily increasing liability which they cannot possibly meet within a reasonable time. This sum amounts to over a lakh of rupees at present.

(7) That the Commissioners have by a recent resolution voted increased taxation which may fetch an additional Rs. 30,000 in the year 1942-43, but this additional sum will not prevent the occurrence of a huge deficit at the end of the year 1942-43. Nor is it possible by savings in expenditure to avoid such a huge deficit.

(8) The misapplication of special funds is still going on. In particular (1) several thousand rupees of the special advance of Rs. 63,000 granted by Government for the emergency water-supply scheme have been applied to other purposes, including the pay of municipal sweepers; and (2) several thousand rupees have been re-credited to the Municipal Fund during the current year, from the Provident Fund, of municipal employees, without proper sanction, instead of insisting on them as required by rule.

(9) During the current year, section 114 of the Municipal Act has been contravened, as the revised budget which should have been framed soon after 1st October, is not yet ready. Section 112 has also been contravened as the budget for 1942-43 which should have been framed before the end of January, has not been prepared even by the end of February.

(10) That in spite of habitually increasing expenditure greatly in excess of receipts over a period of years, the needs of the rate-payers particularly as regards roads, water-supply and drainage have not been properly met.

(11) That there is no reasonable prospect of any substantial improvement in municipal finances under the present management, and that the only possible method of restoring municipal finances is supersession.

The Municipal Commissioners' explanation was not received by the Divisional Commissioner up to the 24th March, 1942, when he referred the matter to Government with his recommendation for supersession.

On the 17th March, 1942, the Chairman forwarded to Government an advance copy of an explanation drafted by him (which had not then been approved by the Municipal Commissioners at a meeting) in which an attempt

was made to flatly deny all the charges. In his letter of the 30th March, 1942, the Divisional Commissioner stated that the charges were true and the municipality could not function any longer.

The charges and the explanation of the Chairman were examined by this department as far as possible on the basis of the materials then available. After due consideration Government came to the conclusion that the financial condition of the municipality was very unsatisfactory and that it would worsen and was not likely to improve. Government, therefore, held that the municipality would be unable to maintain its vital services in the event of hostile attack and they directed the District Magistrate to supersede the municipality on this ground for one year under rule 51F(*6*) of the Defence of India Rules.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister please read also the explanation submitted by the Chairman? We have so far got from the Hon'ble Minister only one side of the case. Let us hear the other side also.

The Hon'ble Mr. SANTOSH KUMAR BASU: Let me see whether I have got the explanation with me. Yes, I have got it. I find that this is a voluminous document and I am afraid if I read it I shall not be able to finish it within the question time. So, I would suggest that, if the honourable member agrees, these papers might be placed on the Library Table tomorrow.

Mr. HAMIDUL HUQ CHOWDHURY: That means we are being denied the privilege of hearing the other side of the version. The Hon'ble Minister has made charges against the Chairman——

Mr. DEPUTY PRESIDENT: Order, order. Next question No. 18.

Contribution to War Fund.

18. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) whether the Government are aware that the Settlement Officer of Faridpur compelled people attending the Revenue Courts at the time of Khanapoori, Bigharat and Attestation to contribute to the War Fund at a fixed rate per *khatian* and per dispute;

(*b*) whether the *bona fide* disputes of many poor people were not entertained owing to their failure to pay the subscription;

(*c*) whether the Settlement Officer did not issue orders on all Revenue Officers to collect subscriptions at the rates fixed by him; and

(*d*) whether he did not definitely demand a certain amount from each Circle Officer as War subscription?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) and (*c*) No compulsion was exercised and no rate of subscription was fixed by the Settlement Officer. He simply issued an appeal to his staff and the public to make voluntary donations to the War Fund.

(*b*) and (*d*) No.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister please state whether he has verified the correctness of the reply, i.e., whether the subscriptions were paid under compulsion or voluntarily?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: My honourable friend knows perfectly well that all these answers are given not from the personal knowledge of any Minister concerned but from official reports.

Areas of land that have gone out of cultivation.

19. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) whether a comprehensive plot-to-plot enquiry was made by the Settlement Officer of Mymensingh in 1940-41 in the Ashtagram thana for finding out what area of land had gone out of cultivation since the last District Settlement operations;

(*b*) whether as a result of such enquiry about 14,000 acres of land were found to have gone out of cultivation since the last District Settlement; and

(*c*) what steps, if any, the Government have taken to reclaim that area and similar areas in other thanas of the Bhati areas in the Kishoreganj subdivision of the Mymensingh district?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) Yes.

(*b*) Yes, approximately.

(*c*) The matter is under the consideration of Government.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister please state when was the report received?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have not got the date.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: When is the Government likely to take decision in the matter?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: As soon as possible.

Mr. DEPUTY PRESIDENT: The Hon'ble Mr. Santosh Kumar Basu is to read a statement regarding action taken by Government on a resolution.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I have not got it just at the present moment.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, may I give notice that at the ensuing session of the Bengal Legislative Council I shall move by way of amendment that the following non-official Bills which are proposed to be referred to Select Committee be re-circulated for eliciting further opinion thereon by the 31st March, 1943:—

(1) Bengal Court of Wards (Amendment) Bill, 1940, by Mr. Nur Ahmed,

(2) Bengal Land Alienation Bill, 1940, by Khan Bahadur Saiyed Muazzamuddin Hossain.

(3) Bengal Emergency Rent Remission Bill, 1941, by Khan Bahadur Saiyed Muazzamuddin Hossain,

(4) Court Fees (Bengal Amendment) Bill, 1941, by Mr. Nur Ahmed, and

(5) Agriculturists Loans (Bengal Amendment) Bill, 1940, by Mr. Nur Ahmed.

Laying of the Appropriation Accounts for 1940-41 and Audit Report for 1942.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Mr. Deputy President, Sir, in February last when I placed before the House the Finance Accounts of the Bengal Government for 1940-41, I explained that the Appropriation Accounts for 1940-41 which form part of the accounts of the province had not been received from the Auditor-General. The Auditor-General had intimated that the report of the Auditor of Home Accounts relating to the provincial transaction in the United Kingdom which is embodied in the Appropriation Accounts had not been received at that time due to the exigencies of the war. The Appropriation Accounts for 1940-41 and Audit Report for 1942 have now been received from the Auditor-General and I beg to lay them before the House, as required under section 169 of the Government of India Act, 1935.

Point of Information regarding Public Accounts Committee of the Council.

Mr. HUMAYUN KABIR: Sir, before you take up item No. III on today's Order Paper, may I enquire through you as to what is the position with regard to these Appropriation Accounts? This question was raised once or twice before. Should not these accounts and the Auditor-General's Report be examined by a Committee of this House? As far as I remember, the matter did not progress very much further. May I enquire what is the position at the present moment?

Mr. DEPUTY PRESIDENT: What are you referring to?

Mr. HUMAYUN KABIR: Do we get these Reports and go home, or do we have anything to do with these Accounts and Report?

Mr. DEPUTY PRESIDENT: A very pertinent question has been raised by Mr. Humayun Kabir. The only difficulty is that the Public Accounts Committee of the Upper House has not yet functioned. In this connection I would call upon the Hon'ble Finance Minister to state what he has got to say in the matter.

Mr. HUMAYUN KABIR: Sir, before the Hon'ble Finance Minister rises, may I again through you, Sir, remind the House that before the present Finance Minister took charge of his department this question was once raised on the floor of this House and the then Finance Minister gave some sort of assurance that a Public Accounts Committee of the Council would be duly constituted,—if I remember aright. After that probably no progress has been made!

Mr. HAMIDUL HUQ CHOWDHURY: That assurance does not hold good now!

Mr. LALIT CHANDRA DAS: On a point of information, Sir. Is it not a fact that a Public Accounts Committee of this House was formed but that that Committee was not called to look into these Appropriation Accounts, and that no sitting of that Committee ever took place?

Mr. DEPUTY PRESIDENT: As far as I remember, the Hon'ble President constituted a Public Accounts Committee for this House by nominating certain members of this House but that Committee has never yet been called to meet nor has it been allowed to function.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Sir, the House will recollect that this question was raised during the budget debate in February last when I gave an assurance on behalf of the Government of Bengal that we would look into the matter at the earliest possible opportunity. The position with regard to the Public Accounts Committee of the Council stands somewhat like this: It is really a matter between the Lower House and the Upper House as to what the position of the Public Accounts Committee will be—whether any representative of the Upper House can sit on the Public Accounts Committee of the Lower House or not. Government have suggested that this matter should be discussed at a small Conference which should be attended by the Hon'ble the President, the Hon'ble the Speaker, the Hon'ble the Chief Minister and myself. Then a letter was written by the Hon'ble Chief Minister to the President of the Council, suggesting that as it is a matter of privilege concerning both Houses, perhaps we might wait till a Speaker was elected. Only three days ago a reply from the Hon'ble President was received in which he has expressed

his agreement with the Chief Minister's suggestion. I have got his original letter here before me. So I can give an assurance on behalf of the Government that they will take up the matter as soon as possible, and I have every hope that some arrangement which will be in keeping with the dignity of both the Houses will be arrived at and will be acceptable to the Legislative Council.

The Bengal Agricultural Debtors (Second Amendment) Bill, 1942.

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I beg to move that the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as settled in the Council, be passed.

Mr. DEPUTY PRESIDENT: Motion moved: that the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as settled in the Council, be passed.

Mr. HUMAYUN KABIR: Sir, in supporting this motion I have only a few enquiries to make from the Hon'ble Minister. It is well-known that this Act was put on the Statute Book as a result of very strong demand from certain quarters and after Government had realised that without some such measures the economic life of the rural areas could not be rehabilitated. At that time, it was suggested that the life of the Act should be five years. That period, Sir, is drawing to an end and the present Bill proposes to extend the life of the Act by a further two years. The question which I want to ask the Hon'ble Minister in charge is: what is the intention of Government in extending the Bill only by two years. Is it the idea of the Government that the problem of rural indebtedness will have been solved in the course of another two years? If this Bill has to serve any useful purpose—and I know very few members will deny that it has saved the rural areas of the province and also the agriculturists—why should not a comprehensive Bill be introduced and put on the Statute Book permanently instead of extending the existing laws piecemeal from time to time and tinkering with the problem in this matter? Along with this, I would draw the attention of the Hon'ble Minister in charge to the necessity of providing facilities for more extensive rural credit. That problem does not come directly within the scope of this Bill, for it deals with the problem of indebtedness and not with the problem of the supply of rural credit to the agriculturists. But if one side of the question has to be tackled, the other side also should be simultaneously taken up. The result otherwise would be that in some cases the rural credit would be dried up. In fact, creditors have sometimes felt that the debtors have all the advantages. So unless some such measures are passed, there will be economic ruin in the rural areas of the province. Sir, in supporting the Bill I would, therefore, at the same time urge upon the Government the necessity of envisaging the whole question of rural credit and rural indebtedness in one comprehensive Bill and put it permanently on the Statute Book.

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Sir, the Bengal Agricultural Debtors Bill was first introduced with the main object of reducing the heavy debts of the agricultural population. But as the Government thought and also the public thought that it would be a drastic measure causing some hardship to the creditors of Bengal, in order to avoid any such hardship Government thought it proper to extend the life of the Bill from time to time instead of putting such a drastic measure for an indefinite period on the Statute Book. The life of the Act was first decided upon as five years in the hope that within this period all the debtors would be able to come up before the Debt Settlement Boards and that their debts will be settled by this time. But in actual practice we have found that the agriculturists of Bengal, illiterate and ignorant as they are, have not appreciated and understood the implications of the Act, with the result that a large number of debtors did not come before the Boards for settlement of their debts. We have issued circular after circular and appointed special officers for this purpose; but somehow or other they did not come. So the life of this measure is being extended by two years in the hope that during this period the debts of the rural cultivators will be settled. In order to avoid further hardships to the cultivators, we have fixed the period as two years and I hope that within the course of this time Government will be in a position to know what debts will still remain unpaid or unsettled. So I think that this time will be sufficient and it should not be extended beyond that. If in the meantime there are cultivators who would not come before the Boards to settle their debts, let them suffer. Because Government cannot go on extending the time for ever.

As for rural credit. Of course this Bill does not deal with that. Its sole object and aim is to scale down the debts of the cultivators and not to find out ways and means for distributing relief to the rural people. For that perhaps a different Bill will be necessary.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I rise to support the Third Reading of the Bill. In doing so, I have to make one or two observations. Sir, I find that the life of the Act has been extended by two more years. As has been stated by the Hon'ble Minister himself, the ignorant cultivators do not come up as readily as they ought to for settlement of their debts. I do think that 7 or 10 years even will not be sufficient for them to come to the Boards for settlement of their debts. These ignorant cultivators will not come before the Boards unless they are forced. They are hoodwinked by the *mahajans* in various ways. These people are being told by the *mahajans* that they need only pay a few rupees now in order to keep the documents alive, so that they may not get time-barred, in the hope that later on when these Boards are abolished, the *mahajans* will be able to go to the civil courts direct for the realisation of their debts. In this way, Sir, these ignorant cultivators are being deceived. I think, Sir, two years' time will not be sufficient. As a matter of fact, my idea was to get the debts compulsorily settled just as in the case of the debts of estates under the Court of Wards. There are some such provisions in the Court of Wards Act by which the creditors are given notice to come up for settlement of

their dues within a certain time after which no claim would be entertained even by any Civil Court. I doubt, Sir, whether within this short time the Debt Settlement Boards will be able to settle all debts. In fact, even 10 per cent. debts have not been settled within these 5 years. However, Sir, somthing is better than nothing and I support the final passage of this Bill; but at the same time I request the Hon'ble Minister to consider whether they cannot extend the Act by 5 years thereby giving sufficient opportunity to the cultivators for having their debts settled by the Boards.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I wish to support the passing of the Bill. With regard to the suggestion that the Bengal Agricultural Debtors Act should be placed on the Statute Book on a permanent basis, I think, Sir, it is a very important point requiring careful consideration. The object of the Bengal Agricultural Debtors Act was to settle existing debts. It is to be noted that debts were incurred at exorbitant rates of interest and on very disadvantageous terms. The object of the Act was to tackle the existing evil, to settle and scale down these debts and to reduce the rates of interest and provide easy instalments. Once that is done, the same situation will not arise again. The Bengal Money-lenders Act, which is permanently on the Statute Book, will take its place and control money-lending. After the existing debts are settled, a new situation will arise, that is, the public supply of agricultural credit. This problem would be solved by the proposed scheme of rehabilitation of our Co-operative Societies. There are the Land Mortgage Banks which are now functioning. These will supply and control the agricultural credit. So, by the modification and extension of the scope of the Land Mortgage Banks and Co-operative Societies, the resulting void will be filled up to a great extent. If, however, it is found by experience that the debtors have not come in large numbers, the question of further extension of the life of the Act may come in. That is a matter which will depend upon experience. It is not easy for the debtors to go to the Debt Settlement Boards to get relief. In these circumstances, we should wait to see how the Act would function and what percentage of debtors come and get relief. With these words, I support the motion.

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Sir, I do not think anything further need be said after the speech of my honourable friend Khan Bahadur Naziruddin Ahmad. There is the Money-lenders Act through which the debtors can get relief. There are other Acts also. We should watch the operation of this Act for the next two years and if it is found that the people cannot take advantage then the question of further extension will be taken into consideration.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I rise on a point of order. Is the Hon'ble Minister entitled to speak twice?

Sir BIJOY PRASAD SINGH ROY: Sir, he moved the motion and he gave a reply. Can he speak again?

Mr. DEPUTY PRESIDENT: Order, order. After the Hon'ble Minister's speech, some of the honourable members spoke; so he has the right to reply to the points raised by those members who spoke after him.

Sir BIJOY PRASAD SINGH ROY: Can he go on *ad infinitum*.

Mr. DEPUTY PRESIDENT: He can only touch those new points which have been raised by the honourable members who spoke after him.

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I hope, therefore, the House will support the motion.

Mr. DEPUTY PRESIDENT: The question before the House is: that the Bengal Agricultural Debtors (Second Amendment) Bill, 1942, as settled in the Council, be passed.

(The motion was agreed to.)

Discussion on Chief Minister's Statement.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, before the fourth item on the agenda is taken up——

Mr. DEPUTY PRESIDENT: Order, order. The House will now take up the motions tabled in connection with the general Statement made by the Hon'ble Chief Minister in the Council on the 17th September last reviewing the present situation. May I enquire if the Hon'ble Chief Minister who is also the Home Minister gives his consent to the discussion of all the motions included in the Order Paper for today or only to some of them?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have no objection; but I think we should proceed to discuss the motion in the order in which they have been printed and circulated. I have no objection to this course.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I rise on a point of order, Sir. I think it is the parliamentary practice that debate on the speech of the Premier is initiated by the Opposition and not by the supporters of Government. So, in accordance with that convention I would request you to give permission to the Opposition to initiate the debate on the Premier's Statement.

Khan Bahadur NAZIRUDDIN AHMAD: On this point we are to be governed by the rules made in this House. If there were no such rule, then probably a convention might be established such as the Leader of the Opposition is contending for; but in the face of the existence of such a rule, it will be difficult to comply with the request put forward by the Khan Bahadur.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In that case, a ballot ought to have been held to determine which motion should get priority.

Khan Bahadur NAZIRUDDIN AHMAD: I think there has been a ballot and it is only as a result of ballot that the motions have been arranged, as we find them in the Order Paper. But if the House privately agrees that certain motions be taken out of turn, that is a different matter; in the face of the rule, however, it is difficult to see why the order should be changed.

Mr. HAMIDUL HUQ CHOWDHURY: On a point of order, Sir. Where is the rule according to which the order of precedence has been given? Who has printed this Order Paper?

Mr. LALIT CHANDRA DAS: According to the time that the motions were received.

Mr. HAMIDUL HUQ CHOWDHURY: Where is the rule that says so? What are the rules that say that motions will be put in according to the time of their receipt?

Khan Bahadur NAZIRUDDIN AHMAD: Well, first come, first served!

Mr. DEPUTY PRESIDENT: Order, order. The Chief Minister may please give his opinion on this matter.

The Hon'ble Mr. A. K. FAZLUL HUQ: The rules regarding the priority of motions or resolutions in both Houses are the same. So far as I understand, Special Motions are to be treated in the same way as non-official resolutions. In the case of resolutions, they are balloted in order to determine the order of priority. After the balloting is done, even then it is possible to take the motions out of their turn if a number of members—I believe the number is 23 in this House,—agrees and the Minister in charge of the department gives his consent. In this connection my difficulty is that the Opposition did not intimate its desire to take any motion out of its turn or as to what motions they were desirous of taking out of their turn, and discuss. My position is that if any motion is taken out of its turn, then I may not be in a position to give a reply on the floor of the House today, because I have no previous intimation as to their desire. If I find that they want to move a motion to reply to which I am not well-posted this afternoon, I would ask your leave to postpone the matter to some other day. Otherwise, if the Opposition takes up motions according to the Order Paper, I am quite ready to deal with them.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, so far as the question of motions being balloted is concerned, the provision regarding ballot is limited to Motions and Resolutions. But these motions are Special Motions

in this sense that they arise out of the Statement made by the Hon'ble Chief Minister. There is no special provision for Government motions; there is also no provision for amendments to be balloted and they are almost in the nature of amendments in reply to the Statement of the Hon'ble Chief Minister. Therefore they cannot be classed as Resolutions, which cannot be discussed on official days. They should then be taken up tomorrow which is a non-official day. But according to the precedent followed elsewhere, I submit that this should be treated as part of the Government business, because the Chief Minister's statement is part of Government business. The Chief Minister having made a statement, it is up to the Opposition to initiate the debate and criticise it and the Opposition should be given the first chance and before we have criticised the statement of the Hon'ble Chief Minister, no other member on the Government side should be given a chance to speak. Therefore, it should be the privilege of Leader of the Opposition to initiate the debate and to criticise the statement made by the Hon'ble Chief Minister. After that the other side may be given the chance of speaking. But we will first initiate the debate and criticise the first, second, third paragraphs of the statement in the order we choose and then replies may be given by the other side.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, my position has not been properly appreciated by the Opposition. I do not for a moment enter into discussion as to the necessity of a ballot. The Opposition has, according to my friend, a right to open the debate. I agree with that. But the point is, they should have given notice as to which of these motions they will move, so that I might have come prepared. They can take up any motion but it would be difficult for me to reply to it off-hand without reference to relevant files or papers, and if I am not ready I may not be able to enlighten them on the points raised. Therefore, I ask your leave to let me have time to reply to it later on.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, if the Hon'ble Chief Minister has to build up a case when he has no case, then we have no objection to his replying on Monday next. Tomorrow is a non-official day and he will have sufficient time to prepare the reply.

Mr. DEPUTY PRESIDENT: I think there is some misconception about the whole affair. Special motion is covered by rule 96 and not by the rule which governs the procedure to be followed in selecting ordinary resolutions. In accordance with the general parliamentary convention, I concede the suggestion of the Leader of the Opposition. At the same time, I appreciate the difficulty pointed out by the Hon'ble Chief Minister. So I allow the Leader of the Opposition to initiate the discussion; but in all fairness, I think the Hon'ble Chief Minister is entitled to get some time for replying to the debate on the next official day.

Khan Bahadur NAZIRUDDIN AHMAD: It would be very convenient if at this stage it is known which item the Leader of the Opposition wants to take up first.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I propose to move motion No. 13 first, and then motion No. 34.

Khan Bahadur NAZIRUDDIN AHMAD: That is an unlucky number (laughter).

Mr. LALIT CHANDRA DAS: On a point of information, Sir.

Mr. DEPUTY PRESIDENT: Order, order. I am afraid motion No. 34 will be out of order under rule 89 of the Council Procedure Rules.

Mr. HUMAYUN KABIR: Moreover, Sir, that is a summary of the two previous resolutions.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In that case, Sir, I would suggest No. 28.

Mr. LALIT CHANDRA DAS: On a point of information, Sir. In the arrangement of the motions I find my motion has been printed first. But is it now going to be the last one? The Opposition has been allowed to initiate the discussion and it appears they have been mentioning all the motions in the whole list. What will then be the fate of my motion?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, Sir, he may move his motion after the first motion, i.e., No. 13, has been discussed.

Mr. LALIT CHANDRA DAS: All right, Sir.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: When we first came to know that the Chief Minister was going to make a statement in the House, we thought that this subject of economic crisis will occupy the first place therein, as this problem affects the whole of Bengal. But, Sir, we were surprised that his speech is devoted mainly to the A. R. P. organisation which concerns only a few towns, besides the city of Calcutta. That speech would have been more suitable for the Mayor of Calcutta. From the Premier of Bengal we wanted to hear about the economic crisis with which the whole of Bengal has been confronted. It may be that the Hon'ble Ministers are not aware of the fact that we are passing through a great crisis in the mofussil for some time past. The labourers, unfortunate labourers, do not get work and those who get work get only 4 annas a day as wages and that 4 annas can fetch at best 5 *pous* of rice. In the mofussil for an average family of five, to subsist on 4 annas a day is an impossibility and even this 4 annas a day people of most areas do not get always, with the result that they have to go on starving day after day. The conditions of rural areas are getting worse day by day as the prices of paddy are rising. It is very unfortunate that the Hon'ble Minister in his speech has remarked that so far as rice is concerned, Bengal is self-sufficient. I refer to page 12 of his speech. "In this province the situation is complicated by the fact that Bengal is not self-sufficient as regards any of its foodstuff except the rice". That shows that according to him Bengal is self-sufficient in respect

of rice. But, Sir, on reference to the Paddy Committee's Report it is found that the average yield of rice in Bengal is 90 lakhs tons. Dividing this quantity amongst a population of 5 crores, we get per head less than ½ seer a day. From the Famine Committee's Report we find that in order to maintain health, the minimum requirement is 3 *poas* per head, whereas we get daily half a seer per head. But the present situation brought about by this war has made matters worse. From Burma we used to get about 5 lakhs tons of rice as import and in years of distress and famine, we used to get far more,—10 lakhs tons or so. That import has been entirely stopped.

Even from Indo-China we cannot expect any rice this year, as that country has passed into the hands of the Japanese. Indo-China used to export rice to the extent of 1,337,000 tons annually but that has now stopped. Burma used to export rice to the extent of 28,850,000 tons, that is 2·8 millions of tons but that too has stopped. So, the situation in India—in Bengal particularly—will be terrible unless timely precaution is taken. There will probably be demands upon Bengal from other provinces of India and Ceylon for rice, as those other provinces of India used to get as much as 15 million tons of rice from Burma annually. They used to import large quantities of rice from Indo-China also but that, too, has stopped. So, all these quantities of rice will probably have to be supplied from the rice produced in Bengal, and unless we take timely precaution to stop the export of rice from Bengal the state of affairs in Bengal will be terrible. Sir, it is very unfortunate that we get no light from the speech of the Hon'ble the Chief Minister as to whether any action has been taken in the matter of stopping all export of rice from Bengal to the other provinces of India or to Ceylon.

As regards cloth, we have seen that the price of cloth has risen so enormously that it has become almost impossible for the rural people, especially labourers and the poorer agriculturists to cover their nakedness. Sir, something must be done by Government in this direction. We were told that standard cloth was ordered by Government sometime ago but we are not going to get it at all although the Pujahs are so near. Circumstances have become so acute that Government should in my opinion immediately do something for manufacturing cloth at least of the very coarse variety so that the poorer people may anyhow cover their nakedness. In the mofussil areas the people will be content even with sackcloths if Government care to supply enough of these things for the female population in the rural areas. They cannot afford cotton cloths now-a-days. It was for the Government to enquire and find out whether we have got enough cotton in India which might be spared for Bengal so that the huge population that is sitting idle now for want of work could be kept employed in spinning and weaving. We think that we should give a start to spinning and weaving and we should take to our old primitive method in order at least barely to meet our cloth requirements. We had thought that Government would take up these primary matters and discharge their responsibility of seeing that the rural population get their proper supplies of food and clothing. But the Government has not done anything of the kind. The people in the interior

are dying a slow death and yet nothing is being done by the Ministry to prevent this death. They do not show any anxiety to help the people to tide over the crisis; they are engaged on big schemes of air-raid precaution in big towns only. And this at a time when crores of people are starving in the mofussil and dying slow death of which the present Ministry is taking no notice.

The Hon'ble Chief Minister has not even mentioned a single word about the economic crisis in his speech. It is very unfortunate. Sir, I have made some constructive suggestions about the cloth problem. If the cloth problem is to be solved, the Hon'ble Minister should try and find out whether some sack-cloth can be manufactured for the poorer people—something must be done. Necessity is the mother of invention and we are now in great necessity. We must try and arrange for covering the nakedness of the poor people. We must find out some sort of cloth—sack-cloth or any other coarse cloth from jute. (Mr. AMULYADHONE ROY: You will have standard cloth soon.) Sir, we have heard of standard cloth but it has not seen the light of day. And if it ever comes out, it will hardly meet with our demand, I am sure. The poorer people will not be able to afford to have this standard cloth: they are dying of starvation—they do not get two meals a day—how can they afford to purchase even the standard cloth. You may imagine the plight of the parents when they see before them their poor children dying of starvation. It is impossible for you to make an idea of their position. Men who are not living in the mofussil have got no idea as to the life these poor people are leading. I myself being a man living in the mofussil know the real state of affairs. Government should initiate more food-production campaign vigorously. But the campaign of sending out leaflets only will not be of any help to the people. They should take active interest in the matter. They should prepare schemes and get cultivated large tracts of land which are still lying fallow—large areas of land are available in Bengal which could be reclaimed into culturable land. I made these suggestions previously but nothing has been done by the Government towards giving a concrete shape to them. Even today in reply to a question the Hon'ble Minister said that the matter is under consideration. I do not know when the consideration will be over. There are huge tracts of land in the Bhati areas lying fallow which could be reclaimed by spending a few lakhs of rupees. It will then grow lakhs of maunds of paddy. But nothing has been done. I can assure the Government that nothing tangible could be gained by mere distribution of pamphlets and leaflets. Government should take time by the forelock and see how the crops can actually be grown: what are the areas which could be reclaimed for the purpose of growing paddy: arrange for the distribution of seeds and advance money for seeds and so on. Unless this sort of vigorous campaign is carried on we cannot expect anything by mere propaganda. Government are showing indifference to these things; I think they are responsible to the people whom they represent in the Government. Therefore they should do their duty properly and arrange for the food and clothing of poorer classes of the people in the mofussil. In the towns, Government servants have been given dearness allowances—menials and

others who draw low pay. But what about the poorer people in the rural areas where thousands, lakhs and crores of them are starving—what are the Government doing about granting them relief: they do not expect dearness allowance from Government. But they certainly expect Government to grant such relief to them, so that they may keep their body and soul together anyhow. Government are not at all seriously considering this problem.

The situation is so desperate that I think, Sir, anything may happen at any time. There may be agrarian riot, there may be serious commotion in the whole country. Nobody knows when what will happen. So, Government must take immediate steps. They must see that no untoward incident may happen and they should see that this problem of food and clothing of people in rural areas is solved. Unless this is solved, unless this problem is effectively tackled, Government will be failing in their duty lamentably. It is very unfortunate that they have not yet done anything to mitigate the sufferings of the people. The only thing that has been done is that Government have given dearness allowance to their employees. But they ought to know that the entire people of the country want help from them. The Government must see that this problem of food and clothing is properly tackled.

With these words, Sir, I resume my seat.

Mr. DEPUTY PRESIDENT: Motion moved: that this Council is of opinion that the speech of the Chief Minister is most disappointing as it does not refer to the economic crisis which the country is confronted with, owing to abnormal rise in the prices of all the necessaries of life—particularly food and clothing—and does not indicate the action taken by Government, if any, for mitigating the sufferings of the poorer classes, especially the landless labourers and small wage-earners in the rural areas.

Mr. HUMAYUN KABIR: On a point of information, Sir. May I know whether amendments to these motions will be allowed?

Mr. DEPUTY PRESIDENT: Order, order. Generally notice should be given for each amendment. But if the House has no objection, I may allow short-notice amendments.

Mr. HUMAYUN KABIR: My humble submission is that since the printed list of these motions was received by us this morning, it was not possible for us to give notice of amendments. So, if the House permits me, I would like to move a short-notice amendment to the motion of Khan Bahadur Saiyed Muazzamuddin Hosain.

Mr. DEPUTY PRESIDENT: What is your amendment?

Mr. HUMAYUN KABIR: My amendment runs as follows:—

In the opinion of this Council on the basis of the situation revealed in the speech of the Hon'ble the Chief Minister Government should take every possible action for making available to the people of the rural areas the essentials of life particularly food and clothing.

Mr. DEPUTY PRESIDENT: Is there any objection to allow Mr. Humayun Kabir to move his amendment?

Mr. HAMIDUL HUQ CHOWDHURY: Yes, Sir.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I submit that there is no technical difficulty under the existing rules. The question has to be decided on its own merits. There could possibly be no objection to the amendment of Mr. Humayun Kabir. It simply substitutes an amendment to the motion already moved. Moreover, no time has been given to us to consider these motions at all. In these circumstances, and, as you have already stated, this amendment of Mr. Humayun Kabir should not surprise the Opposition at all. It is a matter which should be decided by the Chair because we have not got sufficient time to scrutinise these motions. So, I submit that Mr. Humayun Kabir should be allowed to move his amendment and there should not be any serious objection. The matter should be decided on merits and not on technical objections.

Mr. DEPUTY PRESIDENT: As I have said, if there had been no objection from any quarter, I would have accepted the short-notice amendment. But as there has been objection, I am afraid, I cannot accept the same.

Khan Sahib Maulvi ABUL QUASEM: Mr. Deputy President, Sir, I rise to support the motion that has just been moved by the Leader of the Opposition. He has raised an all-important subject. Those of us who are familiar with the conditions prevailing in the villages of Bengal at this moment will readily admit that the question that has been raised by Khan Bahadur Muazzamuddin Hosain should engage the attention of the Government at once. It is a matter of infinite regret that the speech which the Hon'ble the Chief Minister has made on the present situation in the country did not refer to this question. It was a significant omission that the speech contained almost in its major portion references to A. R. P. and other measures, ostensibly for the defence of people dwelling primarily in the city of Calcutta. But people away from them,—those who are not dwelling in Calcutta and in mofussil towns,—I mean people who dwell in the villages of Bengal, no measures for their defence were thought of or proposed by the Chief Minister. To be sure, they are not in immediate danger of being bombed and robbed of their lives. They are in graver danger, the danger is upon them already, for they are dying, as the Khan Bahadur has said, by inches, for want of those necessaries which make existence possible as human beings. It is no exaggeration to say that money is exceedingly scarce in the rural areas. The sources from which the rural population of Bengal make a living have almost dried up. Measures that have been taken have forced many people out of their ordinary avocations and means of livelihood and the Government to our knowledge have not taken any measure to ameliorate the hardships that have been caused by depriving them of their means of subsistence. That is one omission. I would refer to another omission. The Hon'ble Nawab Bahadur of Dacca on the floor of the House in reply to a question about the abnormal fall in the prices of

jute said: "let this question stand over. Let the honourable members wait for the speech the Chief Minister will make and if his speech was found inadequate and wanting over this matter, the honourable members would then be in a position to raise the question once again". Strange to say, the speech did not deal with the question of jute at all; it was significantly silent on it. Government's primary duty is towards the people of Bengal and the majority of people dwell in villages. Government have done nothing to ameliorate the pitiable condition of rural Bengal. Well, Sir, we were told that standard cloth would be forthcoming before the Puja holidays, and that standard cloths have been ordered from certain mills. I do not know what is the standard. The Puja is upon us and the sufferings of the poor people are simply indescribable. They are in rags and we are spending lakhs and lakhs upon A. R. P. and this or that. The people for whom we are here are dying and the Hon'ble the Prime Minister's speech does not make any reference to their condition, not to speak of any measures contemplated or being actually taken to ameliorate their condition! This in itself is sufficient to condemn the Ministry.

Sir, every one is aware that jute has practically got no demand in the market now and is fetching no price worth the name. In the mofussil its price is ridiculously low. Every one is aware that rural Bengal depends as its principal source of income on this particular money crop but this crop is fetching no income to the rural people. Government has not told the House or the public what measures they have taken to obtain a fair price for the jute-growers. There is no money in the countryside. It would be no incorrect representation of the condition of the people to say that they are living in poverty—these people do always, as a matter of fact, live in poverty,—but their present plight is simply such as cannot be described in words. There is no money in the countryside and every necessary of life, particularly *dal* and *bhat*, to use the words of the Hon'ble the Chief Minister, are beyond the capacity of these poor villagers, as they are both selling at incredibly high prices. His income has not gone up, rather he has lost his income which has become abnormally low. He is not living, he is only existing. But what measures have the Government adopted or what measures have the Government in contemplation to remedy this pitiful situation of the villagers? None whatsoever. Sir, I notice that the Hon'ble the Revenue Minister is having a smile on his lips. (The Hon'ble Mr. PRAMATHA NATH BANERJEE: Well, Sir, I always have a smiling face.) I would remind the Hon'ble Minister in charge of the revenues of this province that the revenues are paid by the poor cultivators of Bengal —he has got his sunset laws and other laws and the Hon'ble Minister goes on complacently realising the revenues but he does not seem to be at all concerned as to how they are finding the revenue.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Well, if the House agrees, I shall be quite prepared to suspend the collection of all revenues!

Mr. HAMIDUL HUQ CHOWDHURY: Why don't you initiate a proposal like that? We will support you in that case.

Sir BIJOY PRASAD SINGH ROY: That is a complete reply to the Hon'ble the Revenue Minister. Then he will be taken at his own word.

Khan Sahib Maulvi ABUL QUASEM: Sir, it is admitted on all hands that the prices of all essential foodstuffs have soared abnormally high, whereas the income of the people has become abnormally low. It is also a fact which cannot be denied by anyone who knows the conditions in the rural areas that these people are literally starving and dying by inches. But what measures have the Government proposed to ameliorate their condition? Ordinary measures will not avail in this crisis; extraordinary measures are necessary to save these people from the terrible miseries under which they are groaning. They are not vocal people, they are not politically-minded people taking recourse to sabotage or to direct action or bringing communications to a standstill in order to wrest political freedom from an unwilling power; but they are very quiet and silent people whose lot it is to suffer silently. The Government is absorbed in big schemes, in big political schemes for the liberation of India, but what about these people—the real people—for whom ostensibly this political power is sought? Let them live first, then they will enjoy the freedom that you may be able to win for them. What measures are you taking so that they may remain alive to enjoy the freedom for which you are clamouring on their behalf?

As regards cloth, my friend Khan Bahadur Muazzamuddin Hosain has touched on it in his speech. Sir, speaking from personal experience, I have been to my district recently and can say that the plight of the poor people there cannot simply be described in words. Sir, I live in a locality which is predominantly a Muslim locality. On Fridays, the day on which the Muslims give alms to the poor, children and old women come begging for alms. I have seen children from 12 to 14 years of age coming almost naked and old women coming literally in rags. Sir, their only pitiful plaint is for one piece of cloth. That is the common cry on every lip. The price of cloth has gone up so high that it is beyond the capacity of the poor people to buy them. What measures are the Government proposing to take to clothe them? Are the people to go naked and not hide their shame? The Hon'ble the Chief Minister has made a statement: it is before the public: does it state anything about solving this problem? This economic crisis which is grinding the people down has got to be taken note of by Government. We should like to hear what the Hon'ble Chief Minister has got to say about the question that has been raised by Khan Bahadur Saiyed Muazzamuddin Hosain.

Mr. LALIT CHANDRA DAS: Mr. President, my friend the Leader of the Opposition has raised the question of food and clothing. He also raised the question of the prices of necessaries of life. There was room for agreement in respect of his complaint about dearth of the necessaries of life. The prices have risen very high, and when relief comes, as relief must come, the relief will benefit not only my friends opposite but will benefit all of us. This is one way of putting a complaint against the high price of food and other necessaries of life. But it is quite another thing to put in a motion

using words by which it appears that the Leader of the Opposition did not take the trouble of reading the speech of the Hon'ble the Chief Minister at all. The motion says:—

"This Council is of opinion that the speech of the Chief Minister is most disappointing as it does not refer to the economic crisis which the country is confronted with, owing to abnormal rise in the prices of all the necessaries of life—particularly food and clothing—and does not indicate the action taken by Government."

This is the language with which this motion is couched and my friend Mr. Abul Quasem in seconding the motion was vehement in saying that nothing has been said by the Hon'ble Chief Minister with respect to this problem. Sir, I wonder if this motion was framed after reading the speech of the Hon'ble Chief Minister.

I desire to draw the attention of the Leader of the Opposition as well as of Mr. Abul Quasem to page 12 of the printed speech and would ask them to read that portion which deals with the food problem. I will quote it as desired by the Opposition Leader. It runs as follows:—"I now turn to a subject which is of immediate personal interest to every individual—that of the supply and price of the necessaries of life. In this province the problem is complicated by the fact that Bengal is not self-sufficient as regards any of its food supplies except rice. We depend for sugar on Bihar, for salt on the western coast ports and places outside India, e.g., Aden, for most varieties of *dal* on Bihar, for oil seeds and mustard oil on the United Provinces and Bihar, and so on". Then, Sir, he goes on to say—"Even in the case of rice we have seen the difficulties of securing adequate supplies to the public at controlled prices: the difficulties of price control are greater still when we have no control over the source of supply. The difficulties of transport have aggravated the problem. Recently, wheat allotments have been difficult to obtain on account of the disturbance to railway communications and sugar imports from North Bihar have almost stopped as a result of local disturbances. This fact accounts for the prevailing scarcity and high price of sugar in Calcutta and the districts, but we have taken steps with the help of the Sugar Controller to get in supplies from elsewhere and they will soon be on their way. In the case of some other commodities there has been a chronic shortage. For example, the supply of kerosene has been cut by fifty per cent. This means that every one has got to reduce his consumption. The House is no doubt aware that we have recently established the nucleus of a Civil Supplies Directorate and I hope that it will not be long before it is working at full strength. Our first endeavour has been to create conditions under which supplies can move readily when needed and the trade itself can operate in a healthy manner. We seek co-operation but if the trade cannot deal with its own black sheep, we may have to apply compulsion. We must always remember, however, that we cannot stand by ourselves. We need the help of other provinces and must be ready to help them. Members may be interested to hear something about commodities which have to be imported from outside Bengal. On hearing that the Bengal allotments of wheat for August were likely to be heavily

reduced, we took up the matter and have obtained an assurance that the special needs of Calcutta will be borne in mind". Does this show that the Government have been sleeping over the question? Then, Sir, in the Chief Minister's statement it is stated, "We feel that the immediate prospects are not unsatisfactory but the House should recognise that wheat supplies are not under our ultimate control. The question of the supply of *dal* has been taken up with the Bihar Government. I am glad to say that the position in regard to salt is satisfactory, but efforts are being made to build up increased stocks against future needs. We are also making arrangements with leading dealers for the import of more mustard seed and oil, but the latest information makes it very doubtful whether we shall receive before the Pujas the supply of standard cloth for which we have indented". I again ask, Sir, whether this looks that the present Government are sleeping over this question. The Chief Minister has also said "The new Directorate of Civil Supplies is alive to the urgency of the problems with which it is confronted and it is to be hoped that as soon as the various factors which I have referred to have been brought under some sort of control, with the help and co-operation of the Central and other Provincial Governments a substantial improvement in the position of supplies will be effected". This does show that the Government are moving very earnestly in the whole matter. "Meanwhile, the province can help itself very considerably by organising a comprehensive anti-hoarding drive in Calcutta and the districts, with the active support and co-operation organised by trade and the leaders of public opinion."

The motion under discussion shows that the Opposition is not conversant with what the Chief Minister had stated in his speech. In fact, I remember that one gentleman from the Opposition was shouting when this speech of the Hon'ble the Chief Minister was being read that this might be taken as read. Well, that sums up the knowltdge of the Opposition with regard to this question. I have nothing further to add. All I do say is that so far as this question of the foodstuffs is concerned and the hardships that the general public are experiencing due to their high prices, we are at one. But the Opposition should move these motions in a helpful spirit and should not come only to criticise the Government in a carping spirit. In fact, the Government are aware of the whole situation. We are also aware of the whole situation. We are feeling the pinch as anybody else. We also would certainly wish that the prices of commodities should come down. The problem is the thought of the Chief Minister throughout the day and that is his dream by night. I would request the members of the Opposition to frame their motions with full knowledge of the whole thing and I am sorry to say that this helpful spirit is wanting as shown in the framing of their motion.

Mr. NUR AHMED: Mr. Deputy President, Sir, with your permission I wish to make a few observations on the motion just moved by my learned friend, Khan Bahadur Muazzamuddin Hossain. Sir, by this motion he has raised a vital question, namely, the question of making the barest necessaries of life available to millions of the people of Bengal. Sir, the Hon'ble the

Chief Minister was once known to be a Minister for *dal-bhat*. The message of *dal-bhat* was conveyed by him to every village of Bengal. In several meetings he gave the expectation that if he was elected as a Minister he would arrange for *dal-bhat* for the poor and starving people of Bengal. Sir, with that idea people everywhere welcomed him in their millions. But they soon had to be disillusioned and bitterly disappointed in their high hopes. Sir, if I remember aright, in one of the meetings held at Khulna in which the Chief Minister and the then Finance Minister were present, an audience raised this question of *dal-bhat* when the then Finance Minister very humorously replied that *dal-bhat* was a past question, and that they were arranging for *korma* and *polao*, After so many years we find that people are dying for want of food and clothing. Sir, it is a known fact that great wars affect the normal life in every corner of the world. But the people of Bengal were not so much affected when Japan declared war in December last. It so happened that the new Ministry took over charge during this very month, but it appears from the statement made by the Hon'ble the Chief Minister that they have prepared no comprehensive scheme for tackling the problem of the scarcity of foodstuffs and clothing of the people of Bengal and that explains why the Chief Minister in his speech has very scarcely dealt with this question. This very important and vital question affects the very existence of the people of Bengal. He has taken 11 pages to describe the A. R. P. measures but he has taken only a page to describe the measures taken by the present Government regarding this vital question. What do we find? He has described the difficulty in the way of food-supply and in that connection he has given some advice to the members. We are here to give advice. That is what we learn from him. We also learn from his speech that recently a Directorate of Civil Supplies has been created which is drawing up a scheme. Sir, we have heard so much about schemes. When a question is asked about anything, the reply is given to it that a scheme is being prepared or is under consideration. Sir, personally speaking, I have no faith in schemes or in preparation of schemes. People want that they should have food and clothing. About cloths there was a crisis in piece-goods and the question was taken up by the Government of India who asked the Government of Bengal whether they wanted standard cloths. In a press communiqué issued by the Government of India it is stated that the Government of Bengal took a long time in giving an answer to this urgent query of theirs. The result has been that as this Government's requisition was sent up only very lately—as is clear from the Hon'ble Chief Minister's statement—apparently the standard cloth may not be available before the Pujas. Sir, this matter of standard cloth was a very urgent question, but we do not know why so much time was taken in sending up a requisition, nor why this criminal negligence was shown in this very important matter. We want an answer from the Chief Minister on this point.

Another point is as regards foodstuffs. It is a well-known fact, as the honourable mover has shown, that Bengal is not self-sufficient in the matter of rice, that rice worth 14 to 18 millions of rupees used to be imported into Bengal in order to supply her deficiency. We have heard the cry of "grow

more food campaign"; that is only a cheap slogan. After all, what has been done about the campaign? The Chief Minister has made no mention of this in his statement. What we say is that if the cultivators were advised in right earnest and by all the means available to grow new and more crops, there would have been no dearth of these vital necessaries of life. But time was wasted with the result that this province is today faced with a serious situation about the supply of rice. Speaking from personal experience of Chittagong town I may say that for some days no rice was at all available there. People went from shop to shop but did not get any rice. The situation became so serious in the town that the District Magistrate gave orders to the shop-keepers to supply whatever rice was available. And there was a tremendous crowd and the crowd in their anxiety to obtain rice fought among themselves and some were seriously injured. That was a serious situation and I believe that this situation still exists in Chittagong with some change. Timely action was not taken and Government was not prepared to give any relief to the poor people. It appears that no statistics in regard to the stock of rice district by district have yet been taken. No estimate has been made of the requirements of rice and other necessaries of life and no scheme for the equitable distribution of rice and other necessaries of life has been put into action.

Only sporadic action has been taken by the District Officers according to their own notion. The result is that there is no co-operation from district to district—from village to village. There may be surplus in one district and there may be shortage in another district. There is no data on which to work—no well-laid plan or comprehensive scheme to work properly on, and Government have done nothing in this respect. As regards the control of price, it has not produced the desired effect which was contemplated, because it is defective. Then, Sir, the Hon'ble Chief Minister has said that owing to difficulty of transport we could not get proper supply. But schemes should have been prepared for the supply of rice and other things available in Bengal and they could have been distributed in the districts where they are not available. But nothing has been done and we find from the statement of the Hon'ble Chief Minister that the scheme is still under preparation. The poor people of Bengal will in the meantime suffer. It is said that the Bengal people are proverbially poor. As far as I remember, Dr. Bentley—a former Director of Public Health, Bengal—in one of his books remarked that a Bengali peasant lives on a diet on which no other human race can live for a week. That was the condition when there was no war, when there was no emergency or high cost of living. It is therefore the duty of those who are in charge of the administration of this Government to look after the poor people and see that they do not suffer unnecessarily. Of course, I am not oblivious of the fact that war entails some sufferings and since we are today very near the war, some suffering is inevitable. But I may say that England which has suffered from continuous bombing for over six months has not suffered for want of food and there people did not die of starvation. Here the progressive Ministry have done nothing to secure relief to the people. The motion moved by my honourable friend Khan Bahadur Saiyed Muazzamuddin Hosain has been couched in very mild language and there

is nothing objectionable. My friend Mr. Das has said that the motion ignores the speech of the Hon'ble Chief Minister and that the framer of the motion has not read his speech. It is not true. I think Mr. Das has not gone deeply into the spirit of the motion. This motion clearly mentions two things—rice and clothing. Going through the speech of the Hon'ble Chief Minister we have found that there is no mention as to how the people should be given relief. The only mention is about the fact that Bengal has to depend on other provinces for sugar, *dal* and other things; but there is no mention of rice. About cloth he has only said that standard cloth would be available: nothing more has been said about it. No detail has been given as to when it will be available. With these words, I support the motion of my friend Khan Bahadur Saiyed Muazzamuddin Hosain.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I would like to know how long the House will continue to sit today.

Mr. DEPUTY PRESIDENT: It will sit up to 4-15 p.m.

Khan Bahadur NAZIRUDDIN AHMAD: All right, Sir. I wish to say a few words regarding this motion. This motion—or, rather resolution in the disguise of a motion—as has been rightly pointed out by my honourable friend Mr. Lalit Chandra Das, has not been based upon a very accurate study of the Hon'ble the Chief Minister's speech. Mr. Das was rather over-generous to the Opposition when he said that the speech of the Hon'ble the Chief Minister was not read at all. But I find there is evidence, in the resolution itself, of a study of the paragraph which has been read out by Mr. Das,—that there is a clear reference to rice being excepted from the general category. And what is remarkable is that, although the attention of the honourable mover of the motion was drawn to the relevant paragraph which was read out *in extenso* by my honourable friend Mr. Lalit Chandra Das, yet the passages preceding and following did not receive sufficient consideration from the honourable member. The complaint in the resolution is to the effect that no reference has been made to certain subjects. (Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, like economic crisis.) Well, Sir, I will not detain the House by repeating the arguments of my honourable friend Mr. Das. I shall deal with one or two aspects of the speech of the Leader of the Opposition which have not been dealt with by him. My honourable friend's remedy for the crisis which has arisen is to stop export of rice from the province. This again will raise a very important question. The question is whether stopping of export will at all be a proper remedy. It is a purely economic question. If you stop export, you will be replied with retaliation. There are very important crops which we have to procure from Bihar and other provinces. (Mr. HAMIDUL HUQ CHOWDHURY: Yes, sugar!) Yes, and also wheat. Well, if you stop the export of rice, they will stop export of wheat to this province. You cannot live on rice alone. There are various other inter-provincial questions and there is a well-known section in the Government of India Act which prohibits inter-provincial discrimination in the matter of exports and imports. There should be free flow of

commodities from one province to another and the honourable mover tries to circumvent that. The other complaint of the honourable mover is that labourers are not getting sufficient employment. That would have been a story in the past, but, on account of the very high price of paddy prevailing in the country, the labourers are getting work. In fact, high prices are encouraging people to cultivate paddy on a very large scale and cheap labour is scarce. They are now getting full wages for the work done——

Mr. DEPUTY PRESIDENT: Order, order. How long will you take to finish your speech?

Khan Bahadur NAZIRUDDIN AHMAD: About 5 or 6 minutes more.

Mr. DEPUTY PRESIDENT: I have been informed by the Opposition as regards some modification in their selection of the motions which they want to discuss.

Khan Bahadur NAZIRUDDIN AHMAD: But, Sir, we have already made up our minds as to what course of action we will take regarding the motions which depends on the actual order of the motions settled in the House.

Mr. HUMAYUN KABIR: What about No. 1? Will Mr. Lalit Chandra Das be allowed to move his motion?

Mr. DEPUTY PRESIDENT: The first is No. 13, after that motion No. 1, then No. 28, then No. 18 and then No. 32 will be taken up.

Mr. HUMAYUN KABIR: I have given notice of one motion and it is very important.

Mr. HAMIDUL HUQ CHOWDHURY: What date, Sir, you are fixing for the continuance of the discussion?

Mr. DEPUTY PRESIDENT: Will the Leader of the House enlighten the House whether there will be non-official business tomorrow?

The Hon'ble Khan Bahadur M. ABDUL KARIM: There will be non-official business tomorrow.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, may I know when this matter will be taken up again?

Mr. DEPUTY PRESIDENT: You will get notice. I now adjourn the House till 2-15 p.m. tomorrow.

Adjournment.

The Council was adjourned till 2-15 p.m. on Friday, the 25th September, 1942.

Members absent.

The following members were absent from the meeting held on the 24th September, 1942:—

(1) Mr. Kader Baksh.
(2) Mr. S. C. Chakraverti.
(3) Mr. B. C. Datta.
(4) Mr. N. C. Datta.
(5) Mr. K. K. Dutta.
(6) Khan Bahadur Alhaj Khwaja Mohd. Esmail.
(7) Mr. R. W. N. Ferguson.
(8) Mr. K. L. Goswami.
(9) Khan Bahadur Syed Mohd. Ghaziul Huq.
(10) Maulana Muhammad Asaf Khan.
(11) Mr. W. B. G. Laidlaw.
(12) Mr. J. McFarlane.
(13) Dr. R. K. Mookerjee.
(14) Mr. R. Palchowdhury.
(15) Khan Bahadur Muklesur Rahman.
(16) Dr. K. S. Ray.
(17) Rai Sahib J. M. Sen.

BGP-42/3-8732A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 5.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 25th September, 1942, at 2-15 p.m., being the fifth day of the Second Session of 1942, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

QUESTIONS AND ANSWERS

Question with Answer which remained outstanding from the Third Session, 1941.

Reform of Jails.

69. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state if any reforms have been introduced in the jails of Bengal during the last three years? If so, what are they?

(*b*) Have any special measures been introduced by the Government of Bengal for the reformation and reclamation of juvenile offenders in Bengal jails?

(*c*) If so, what are they?

(*d*) Has the attention of the Government been drawn to the scheme introduced by the United Provinces Government in the Bareilly Juvenile Jail to reform juvenile offenders, and if so, is it a fact that the scheme has been found successful there?

(*e*) Is it a fact that the said scheme consists in apprenticing a young offender while yet undergoing a sentence in a factory or in an institution

or with an employer of labour to work side by side with the free labourers without surveillance by the jail staff and in crediting the wages earned by such offender to him after making deductions for food and other expenses?

(*f*) If so, do the Government propose to introduce a similar scheme in Bengal for the benefit of young offenders? If not, why not?

(*g*) If the reply to part (*d*) be in the negative, do the Government propose to secure details of the scheme from the United Provinces Government? If not, why not?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) to (*c*) A statement is placed in the Library.

(*d*) Yes, but I have no information to show that the scheme has been found successful.

(*e*) Yes.

(*f*) I do not consider it feasible to send out juvenile prisoners to factories, particularly at a time like this.

(*g*) If the honourable member is so keen on the matter notwithstanding my reply to (*f*) of the question, I will make further enquiries.

Mr. NUR AHMED: Sir, will the Hon'ble Minister be pleased to make a further enquiry with reference to (*g*)?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes.

Questions with Answers which remained outstanding from the First Session, 1942.

A.R.P. Warden's Posts.

50. Mr. HUMAYUN KABIR: (*a*) Will the Hon'ble Minister in charge of the Civil Defence Department be pleased to state if he is aware that the *bustees* in the sub-areas of Amherst Street, Bowbazar, Muchipara, Taltola, Beliaghata and Beniapukur do not have a sufficient number of Air Raid Warden's posts?

(*b*) Does he propose to create additional warden's posts for the *bustees* in these areas?

(*c*) Does he propose to open "Street Fire Parties Service" in the Amherst Street and Beliaghata sub-areas?

MINISTER in charge of the CIVIL DEFENCE DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) and (*b*) Government consider that the number of Air Raid Warden's posts in these sub-areas is adequate.

(*c*) House Protection Fire Parties which correspond to Street Fire Parties are being organised in the sub-areas referred to.

Jessore Collectorate.

51. Mr. AMULYADHONE ROY: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the names of the clerks, process-servers and other officers (with their designations) of the Jessore Collectorate and other offices under the District Magistrate and Collector of Jessore, who have been dismissed, discharged, suspended, degraded or otherwise punished by Mr. N. M. Khan, the District Magistrate of Jessore;

(*b*) the nature of offence committed by, and the punishment inflicted on, each of them;

(*c*) the community to which each of them belongs;

(*d*) the length of time each one of them served under the Government;

(*e*) if it is a fact that about 30 officers of various grades have been dismissed, discharged, suspended, degraded or otherwise punished within a short time by Mr. N. M. Khan, the present District Magistrate of Jessore;

(*f*) if the Government are prepared to make an enquiry into the matter; and

(*g*) if the Government intend to take any step in this connection?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) to (*e*) A statement is placed on the Table.

(*f*) and (*g*) The Bengal Subordinate Services (Discipline and Appeal) Rules, 1936, provide for an appeal to the Commissioner of the Division against the orders of the District Officer in such cases.

Statement referred to in reply to question No. 51, showing the list of officers who were dismissed or otherwise punished by N. M. Khan, Esq., I. C. S., Collector, Jessore, from 17th October, 1940, to 24th January, 1942.

JESSORE COLLECTORATE AND SUBDIVISIONAL OFFICES.

Serial No.	Name and designation of the officer punished.	Nature of offence committed.	Punishment inflicted.	Community.	Length of service.
					Years.
1	Babu Sourendra Nath Ghosh, clerk	Gross neglect of duty and failure to carry out definite directions of superior officers.	Discharged ..	Caste Hindu ..	26
2	Babu Ranjan Bilash Mittra, clerk	Gross negligence in the performance of his duties.	Dismissed ..	Ditto ..	13
3	Babu Swadesh Bhusan Mukherji, clerk.	Carelessness of work ..	Degraded and permanently reduced to the stage of Rs.54 from Rs.62.	Ditto ..	15
4	Babu Manindra K. Majumdar, clerk, since transferred to 24-Parganas Collectorate.	Issuing a permit to a lorry owner without getting it signed by the Deputy Collector in charge.	Permanent reduction of pay of Rs.4.	Ditto ..	12
5	Babu Hriday Nath Ghosh, clerk (Second Assistant).	(*i*) Neglect in performance of his duty. (*ii*) Delay in passing the pay bill of Sadar D. S. B. Estt. (*iii*) Sending a paper to Subdivisional Officer, Jhenida, instead of to Subdivisional Officer, Magura.	(*i*) Reduction of pay of Rs.4 for eight months. (*ii*) Warning in service book. (*iii*) Warning in service book.	Ditto ..	27
6	Babu Jatindra N. Paul, clerk (Record Keeper).	(*i*) Delay in submission of Revenue Records. (*ii*) Negligence of duty.	(*i*) Warning in service book (*ii*) Permanent reduction of pay by Re.1.	Ditto ..	30

7	Babu Manindra Nath Banerji, Head Shroff.	Guilty of breach of rules in accepting a chalan in lieu of cash.	Permanent reduction of pay by Re.1.	Caste Hindu ..	21
8	Mr. Francis Zavier ..	(*i*) Failure to prepare timely L. R. Ghoshwara. (*ii*) Gross negligence in performance of his duties as Tauzi clerk.	(*i*) Warning in service book .. (*ii*) Permanent reduction of pay by Rs.2.	Christian ..	17
9	Babu Susanto Kumar Roy Choudhury, clerk.	Ignoring to enter one letter in receipt register.	Increment stopped for one year	Caste Hindu ..	8
10	Babu Pashupati Banerji, clerk ..	Not correctly reporting the names of members of D. S. B.	Ditto ..	Ditto ..	5
11	Babu Sarat Chandra Mahalder, clerk.	Misplacing records in Record Room when he was a Record Room clerk.	Increment stopped for two years	Scheduled Caste ..	10
12	Babu Lalit Chandra Bhattacharji, clerk.	Carelessness in dealing with correspondence.	Warning in service book ..	Caste Hindu ..	30
13	Babu Nani Gopal Das, clerk ..	Delay in submission of a record ..	Ditto ..	Ditto ..	23
14	Babu Anil K. Sen, clerk ..	Delay in showing an order to the Officer in charge of Treasury.	Ditto ..	Ditto ..	5
15	Babu Balai Lall Bose, clerk ..	Delay in preparing the pay bills of Sadar D. S. B. Estt.	Ditto ..	Ditto ..	8
16	Babu Ahi Bhusan Gan, clerk ..	Delay in dealing with an urgent matter.	Ditto ..	Ditto ..	16
17	Babu Sudhangshu Shekhar Chakravarty, clerk.	Negligence and carelessness ..	Ditto ..	Ditto ..	13
18	Babu Satya Charan Majumder, clerk.	Failure to prepare timely land revenue Ghoshwara.	Ditto ..	Ditto ..	25
19	Babu Tarak Nath Ganguly, clerk (Nazir).	(*i*) Carelessness in seeing the cleanliness in the Collectorate and his lack of supervision over the peons. (*ii*) Delaying the bill of Sadar D. S. B.	(*i*) Ditto .. (*ii*) Ditto.	Ditto ..	24

Serial No.	Name and designation of the officer punished.	Nature of offence committed.	Punishment inflicted.	Community.	Length of service.
					Years.
20	Babu Nitya R. Biswas, clerk ..	Carelessness in typing the fair copy of a letter.	Warning in service book ..	Christian ..	5
21	Maulvi Fazlul Karim, clerk, Nazir, Narail.	Criminally prosecuted for defalcation of public money.	Under suspension ..	Muslim ..	13
22	Maulvi Syed Abdur Rahman, clerk	Criminally prosecuted for connivance with a contractor in connection with defalcation of public money.	Under suspension for a certain period, but subsequently reinstated.	Ditto ..	20
23	Maulvi J. M. Akbar, clerk ..	Guilty of disobedience of orders and unauthorised tampering with records.	Permanent reduction of pay by Rs.2.	Ditto ..	12
24	Maulvi Afsaruddin Ahmed, clerk	(*i*) Interpolation of the order of Wards Deputy Collector without his knowledge. (*ii*) Unauthorised communication by him of information in connection with the formation of Union Jute Committee.	(*i*) Increment stopped for two years. (*ii*) Warning in Service Book.	Ditto ..	9
25	Maulvi Aminuddin Biswas, clerk	Ignoring to put up some papers ..	Ditto ..	Ditto ..	24
26	Maulvi Kasemuddin Khan, clerk	Delay of over a month in putting up a paper.	Ditto ..	Ditto ..	21
27	Maulvi Abdul Gani, clerk ..	(*i*) Gross carelessness for having sat on a file for nearly a month. (*ii*) Not informing the person left in charge during his absence where he was keeping a rent suit file.	(*i*) Ditto .. (*ii*) Ditto.	Ditto	12

28	Maulvi Matiar Rahman Khan, Partition Head Clerk (temporary).	(*i*) Leaving the station without permission. (*ii*) Negligence in performance of his duties.	(*i*) (*ii*)	Ditto Ditto.	Muslim	
29	Maulvi Abdul Jobbar, clerk ..	(*i*) Putting up travelling allowance bills of two members of the R. T. Authority for counter-signature although the bills were not signed by the members themselves. (*ii*) Not writing up and not putting up before the officer-in-charge, Register of Miscellaneous Deposits for a long time and for violating rule 71 of the High Court Rules.	(*i*) (*ii*)	Ditto Ditto.	Ditto	
30	Maulvi Altap Hossain, clerk ..	(*i*) Carelessness in checking a Money Order for land revenue which caused the sale of an Estate. (*ii*) Failure to prepare timely L. R. Ghoshwara.	(*i*) (*ii*)	Ditto Ditto.	Ditto	19
31	Maulvi Joinal Abedin, clerk ..	Delaying the issue of a letter ..		Ditto	Ditto	7
32	Maulvi A. K. Waziruddin, clerk	Ditto		Ditto	Ditto	1
33	Maulvi Wazed Ali, clerk ..	Failure to prepare timely L. R. Ghoshwara.		Ditto	Ditto	5
34	Babu Shitangshu K. Guha, temporary Khas Mahal Tahsildar.	Work not satisfactory ..	Discharged	.. ..	Caste Hindu	2
35	Babu Nirode Kumar Ghosh, temporary clerk.	Unfitness for the work on which he was employed.		Ditto	Ditto	1
36	Babu Mrinal K. Bose, clerk, on probation.	As the Subdivisional Officer, Bongaon, made very adverse remarks against him.		Ditto	Ditto	2
37	Babu Sakti Prosad Mittra, temporary clerk.	Continued ill health ..		Ditto	Ditto	5

Serial No.	Name and designation of the officer punished.	Nature of offence committed.	Punishment inflicted.	Community.	Length of service.
		COURT OF WARDS OFFICE, NALDANGA.			
					Years.
38	Babu Brojendra Nath Dutta ..	Failure to note down compliance with the orders passed by the superior authorities in his tour dairy.	Warning in Service Book ..	Caste Hindu ..	18
39	Babu Sukesh Ch. Munshi, Tashildar.	Unsatisfactory collection and failure to explain as to how Register XV was re-written by him as noted by Wards Deputy Collector in his inspection note of the department.	Suspended, but subsequently reinstated with a warning.	Ditto ..	8
40	Babu Gunendra Mohan Choudhury, Naib.	Total and gross negligence of duties.	Dismissed	Ditto ..	2
41	Babu Amiya Kumar Guha Roy, Tahsildar.	Going away without leave ..	Discharged	Ditto ..	6
42	M. Kafiluddin Ahmed, Naib ..	Taking leave on the plea of wife's illness and not joining after expiry of the leave.	Ditto	Muslim ..	5
		SADAR GROUP OF WARDS ESTATE.			
43	Babu Hirendra Ch. Mukherji, General Manager.	Mismanagement, negligent of duty and dishonesty.	Under suspension ..	Caste Hindu	9
44	Babu Mati Lal Bose, Jamanavish	Dishonesty and causing loss to the estate.	Dismissed	Ditto ..	4
45	Babu Kalipada Kundu, General Manager.	Laxity of supervision ..	Warning in Service Book ..	Ditto ..	6

46	Maulvi Habibar Rahman, Naib ..	Suspended for stealing the note papers belonging to the Hon'ble the Finance Minister and making unauthorised use of them.	Discharged	Muslim ..	2
47	Babu Sachindra L. Roy Choudhury, Naib.	Leaving station without permission.	Dismissed	Caste Hindu ..	5
48	Babu Harendra Nath Singha, Naib.	Having failed to turn up after expiry of leave.	Discharged	Ditto ..	4
49	Md. Ayub Hossain, Mohorer ..	Incompetency	Ditto .	Muslim ..	3 months.
					Years.
50	Babu Sunil K. Maitra, Circle Inspector.	Delay in submission of tour diary	Warning in Service Book. Deduction from T. A. bill.	Caste Hindu ..	8
51	Babu Atindra Lal Sarkar, late Jamanavish.	For allowing rent and cess to be time-barred and *selami* unrealized.	Warning in Service Book ..	Ditto ..	21
52	Babu Produt K. Halder, Naib ..	Causing loss to the estate. Disregarding the order of Collector, wilful negligence of duty.	Dismissed	Ditto ..	20
53	Provat K. Ghosh, Mohorer ..	Misappropriation and neglect of duty.	Discharged	Ditto ..	2
54	Babu Haripada Ghosh, Mohorer	Disobedience	Dismissed	Ditto ..	6
55	Maulvi Abdus Sattar, Surveyor ..	Negligence of duty ..	Discharged	Muslim ..	2

PROCESS-SERVERS, PEONS, ETC., OF COLLECTORATE.

56	Nepal Chandra Nath, peon ..	(*i*) General inefficiency, shirking and avoiding work on false pleas of illness. (*ii*) For loitering and quarrelling with the peons of District Magistrate, near his khash kamra in connection with giving a letter to him.	(*i*) Dismissed. Rein tated by Commissioner. (*ii*) Suspended for a short period and permanent reduction of pay by Re. 1.	Christian ..	9

Serial No.	Name and designation of the officer punished.	Nature of offence committed.	Punishment inflicted.	Community.	Length of service.
					Years.
57	Ganesh Chandra Chakravarty, peon.	Disobeying the Officer under whom he was placed to serve, and going away without his permission.	Dismissed	Caste Hindu ..	2
58	Nagendra N. Das, Process-server	Delay in serving processes ..	Ditto	Ditto ..	15
59	Obeder Rahman, peon ..	Criminally prosecuted in connection with theft of forms. He was acquitted by Court and reinstated.	Placed under suspension ..	Muslim ..	4
60	Helaluddin Shaik, peon ..	Criminally prosecuted under Act V, acquitted by Court and reinstated.	Ditto	Ditto ..	8

Mr. LALIT CHANDRA DAS: Sir, it appears from the list published that as many as 60 officers in the Jessore Collectorate were punished, or as the Hon'ble Minister corrects me, 61 officers were punished. In that case, was there any one left in the Collectorate who was not punished?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, I am not very good at arithmetic, but I can say that the number 61 is a fairly large number.

Mr. LALIT CHANDRA DAS: But my question is whether there is any officer in the Collectororate left who was not punished.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have no information on the point; but if the honourable member desires the information, I should be glad to supply him with it.

Mr. LALIT CHANDRA DAS: May I enquire if Mr. N. M. Khan is that very officer who was once the Subdivisional Officer of Brahmanbaria and against whom there were several civil cases which came up before the High Court?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have not got the particulars before me; but if the honourable member desires, the information will be made available to him.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister please state whether there was really any appeal against these orders suspending and dismissing the officers to the Commissioner of the Division?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have been told that the Commissioner of the Division concerned upset most of these orders.

Mr. DEPUTY PRESIDENT: I may inform the House that questions 20, 21, 22, 23, 24, 25 and 26 are passed over for the time being owing to the absence of the Hon'ble Minister-in-charge. Questions 27 and 28 also will stand over for the present.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, with regard to questions 27 and 28, which have been left over, may I suggest that they may be put and the answers may be read out by the Hon'ble Minister in charge of the Co-operative Department, as the whole House is interested in these questions? If you permit me, I will put these questions in the interest of the public at large. Of course, if there are supplementary questions, then they may be left over.

Mr. DEPUTY PRESIDENT: I have no objection to questions 27 and 28 being put by you.

Director of Public Health.

27. Khan Bahadur NAZIRUDDIN AHMAD (on behalf of Khan Bahadur Abdul Hamid Chowdhury): Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) who is at present officiating as the Director of Public Health in place of the permanent incumbent, Colonel A. C. Chatterjee;

(*b*) on what basis or on what special qualification has he been appointed to officiate in the said post;

(*c*) whether it is a fact that he was appointed to officiate in the said post in supersession of the claims of his senior officers;

(*d*) if the answer to part (*c*) be in the affirmative, what are the names of the officers who have been superseded and the reasons for their supersession;

(*e*) what is the period of the officiating service of the present Director of Public Health; and

(*f*) if any special scheme has been prepared by the present officiating Director of Public Health and submitted to the Government to meet the present emergent condition so far as the Public Health aspect of the question of the Province is concerned?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN (on behalf of the Hon'ble Mr. Santosh Kumar Basu): (*a*) Dr. B. C. Mukherji, M.B., D.P.H.

(*b*) to (*d*) Reference has already been made to the Public Service Commission for selection of a suitable candidate for the post. Advertisement has been issued.

It will not be in the public interest and also in the interest of the officers to give a detailed answer.

(*e*) Dr. Mukherji has been officiating as Director of Public Health since the 19th August 1941.

(*f*) A statement of the Public Health schemes which have been prepared by Dr. Mukherji is laid on the Table.

Statement referred to in reply to clause (f) of question No. 27.

Under Government orders, submission of new schemes have been forbidden. However, to meet the present emergent situation, the following schemes have been prepared and submitted to Government by the present officiating Director of Public Health:—

(1) Preparation and supply of quinine ampoules to make up for short allotment of quinine for this Province. The scheme is having the consideration of Government.

(2) Expansion of School Hygiene work by the appointment of a Medical Officer as Teacher in Government and Aided High English Schools.

(3) Expansion of tuberculosis work by the establishment of tuberculosis clinics in the whole Province and retention of the Medical Officers engaged in tuberculosis survey work in Barisal and Serampore.

(4) Mass anti-cholera inoculation campaign.

(5) Mass vaccination campaign.

(6) Production of cholera vaccine and vaccine lymph to meet the emergent condition.

(7) Continuance of the nutrition survey work.

(8) Removal of the Cholera Vaccine Laboratory to a safer place (Rajshahi).

(9) Removal of the Bengal Vaccine Institute to a safer place (Krishnagar).

(10) Storage of cholera and smallpox vaccines in a safer place (Krishnagar).

(11) Trial of malaria vaccine.

Fees realised from candidates for auditorship, etc.

28. Khan Bahadur NAZIRUDDIN AHMAD (on behalf of Khan Bahadur Abdul Hamid Chowdhury): (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state if it is a fact that candidates for the posts of Inspectors, Auditors and Assistant Auditors under the Co-operative Credit Department are required to deposit a sum of Rs. 5 each together with their application?

(*b*) If the answer to part (*a*) be in the affirmative, will the Hon'ble Minister be pleased to state when this system was first introduced, and what has been the total amount of deposit on that account from the time of introduction of that system up till the end of March, 1942?

(*c*) Will the Hon'ble Minister be pleased to state if it is a fact that in spite of the deposit of the requisite amount, many candidates are not asked either to appear at the examination or for an interview previous to the selection of the candidates for appointment?

(*d*) If the answer to part (*c*) be in the affirmative, will the Hon'ble Minister be pleased to state the principle on which such elimination of the candidates takes place?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: (*a*) and (*c*) Yes.

(*b*) The system was introduced since 1938. Deposits are made by the candidates into the treasuries under head "Miscellaneous" and no separate account is kept.

(*d*) Candidates with inferior qualifications were rejected.

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I may add to what is stated in the printed answer that previously the fee for candidates for Inspectorship was Rs. 10. This year it has been reduced to Rs. 5.

Statement on action taken by Government regarding increasing free beds at Jadavpur Tuberculosis Hospital.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I beg to make the following statement about the action taken by Government on the resolution regarding provision of free beds at the Jadavpur Tuberculosis Hospital that was moved by Mr. Lalit Chandra Das and adopted at a meeting of the Bengal Legislative Council on the 29th August, 1941: Government have decided to make an additional recurring grant of Rs. 20,000 per annum (in addition to the existing Government grant of Rs. 10,000 per annum) to the Jadavpur Tuberculosis Hospital in order to provide 20 additional free beds with effect from the year 1942-43. With these additional beds the total number of free beds in the hospital will be 100. It has also been decided to make a capital grant of Rs. 15,000 to the hospital next year (1942-43) to enable the hospital authorities to meet some immediate non-recurrent expenditure on improvement of the hospital.

Mr. LALIT CHANDRA DAS: On a point of information, Sir. Was the fifth list of questions exhausted? There are two questions standing in the name of Mr. Birendra Kishore Roy Chowdhury—Nos. 24 and 25. He has come, Sir. If you permit him, he can put the question.

Mr. DEPUTY PRESIDENT: These questions have been passed over on account of the fact that the Hon'ble Nawab Bahadur of Dacca, has sent an intimation that he would not be able to attend the Council today. So, these questions will be taken up on another day.

Mr. NARESH NATH MOOKERJEE: On a matter of information, Sir. Just before the commencement of the session, I put in a short-notice question with regard to rice, sugar and jute. But I have not yet had the good fortune of getting a reply from Government to that.

Mr. DEPUTY PRESIDENT: I am informed that short-notice has not been accepted by Government with regard to it.

Mr. NARESH NATH MOOKERJEE: May I request you to let me know on what ground the Government have not accepted my short-notice question, so that I may put in a fresh question in a modified form?

Mr. DEPUTY PRESIDENT: Well, no ground has been assigned and as a matter of fact it is not necessary to assign any ground. If the Hon'ble Minister concerned accepts the short-notice, the reply will be given in due course.

Mr. NARESH NATH MOOKERJEE: May I take it that the question will be answered in the usual course?

Mr. DEPUTY PRESIDENT: We have not heard anything from the Hon'ble Minister as yet.

Announcement of the personnel of the Committee of Privileges.

Mr. DEPUTY PRESIDENT: I have been informed by the Secretary, who is also the Returning Officer in connection with the election of the members to the Committee of Privileges, that 7 valid nominations have been received, namely—

(1) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,

(2) Rai Sahib Jogendra Nath Roy,

(3) Khan Sahib Abul Quasem,

(4) Begum Hamida Momin,

(5) Mr. Moazzemali Chowdhury,

(6) Mr. Dhirendra Lal Barua, and

(6) Khan Bahadur Rezzaqul Haider Chowdhury.

Mr. MESBAHUDDIN AHMED: Sir, will there be no election?

Mr. DEPUTY PRESIDENT: As there are only seven vacancies, no election is necessary.

Khan Bahadur NAZIRUDDIN AHMAD: Before you finally announce the names, I wish to say a few words.

Mr. MESBAHUDDIN AHMED: Is the Khan Bahadur in order to say something before the announcement regarding this Committee of Privileges is made?

Khan Bahadur NAZIRUDDIN AHMAD: One thing you will notice, Sir. The European group due to some misunderstanding,—the thing escaped their attention—sent no nomination from their party. It is the custom to take nominees from all sections of the House. The European group is a distinct block and in all fairness it should be represented. I understand they sent a nomination which was a bit late. In these circumstances, if the House agrees, then the Europeans may be given special permission to put in their nomination and we can settle matters by a little adjustment among ourselves. There need be no election, and this prayer I make in the interest of proportional representation for all sections in the House.

Mr. J. B. ROSS: Mr. Deputy President, Sir, perhaps a word of explanation is called for from me. You will recall that the Hon'ble the President was not very well on the day he made the announcement that the nomination had to be made by a certain date. We, on this side of the House, could not hear him distinctly. The result was that the announcement escaped our attention and we omitted to submit our nomination at the correct time. If a way can be found of permitting our candidate—we have been represented on the Committee of Privileges since the inception of the Council—to stand for election again, we shall be very grateful. In the meantime, I accept full responsibility for the omission to put in the name of the candidate on the due date.

Mr. MESBAHUDDIN AHMED: I think this can be done by mutual arrangement.

Mr. DEPUTY PRESIDENT: Personally, I quite agree that there should be representation from the European Party. But under the existing rules there is no provision for sending any fresh notice calling for nomination. It was duly announced on the floor of the House. I am very sorry that members of the European group could not follow the proceedings and did not file the nomination in due time. In the circumstances, I have no other alternative but to announce the result.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, would you permit resignation on the floor of the House?

Mr. DEPUTY PRESIDENT: This difficulty can be overcome if any Hon'ble Member whose nomination has been accepted withdraws and in his place a representative from the European group can be taken. I am now announcing the result.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, from the Progressive group two nominations have been sent in——

Mr. DEPUTY PRESIDENT: Order, order. Under Standing Order 19, I declare the following members duly elected to the Committee of Privileges:—

(1) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,

(2) Rai Sahib Jogendra Nath Roy,

(3) Khan Sahib Abul Quasem,

(4) Begum Hamida Momin,

(5) Mr. Moazzem Ali Chowdhury,

(6) Mr. Dhirendra Lal Barua, and

(7) Khan Bahadur Rezzaqul Haider Chowdhury.

Khan Bahadur NAZIRUDDIN AHMAD: From our side one member is willing to resign to accommodate a representative of the European group.

Mr. MOAZZEMALI CHOWDHURY: Sir, I am quite willing to withdraw my name from the list, if I may be permitted.

Mr. LALIT CHANDRA DAS: Perhaps he will have to send in a notice to that effect.

Mr. DEPUTY PRESIDENT: If the honourable member will please send in a written notice to that effect to the Council Office, action will be taken in due course.

Mr. J. B. ROSS: Mr. Deputy President, Sir, I would like to express my thanks to the honourable member for his offer to accommodate my party in this manner.

Non-official Bills.

Mr. DEPUTY PRESIDENT: The House will now take up consideration of the non-official Bills. The first motion stands in the name of Rai Bahadur Brojendra Mohan Maitra.

The Advocates' Robes Bill, 1941.

Rai Bahadur BROJENDRA MOHAN MAITRA: Sir, I beg to move that the Advocates' Robes Bill, 1941, be taken into consideration. In doing so I do not think any lengthy speech will be necessary for the purpose of my Bill is set out fully in my Statement of Objects and Reasons.

Sir, all that I want is one uniform robe for all High Court Advocates. In fact, to a layman or even to the litigant public it must appear very strange that there are three classes of professional robes worn by one and the same body of Advocates. The High Court knows only one class of lawyers practising and pleading before it and that one class is the "Advocate". Whoever is recruited for the purpose and in whatever manner must practise and plead as an Advocate and as none other. Yet you would see when you walk along the corridor of the Court building that there are Advocates wearing blue, others wearing black and then amongst the black you find that there are two kinds of gowns, the cut of one being widely divergent from the other. It is this diversity alone that I want by the Bill to be removed. Whatever be the colour, size and cut of the robe, I want that it must be the same for all Advocates.

It is but fair, however, to the House that I should let my colleagues know that the diversity in robes has just a little history of its own. Sir, before the Bar Councils Act was passed by the India Council in 1926, which for the first time recognised in principle or rather adopted one single Bar as the unit of pleading practitioners for each of the Provincial High Courts, there were in the High Court Barristers admitted as Advocates and Vakils, barring of course the Attorneys, with whom the present Bill has no concern. Gentlemen called to the Bar by the Inns of Court in England or in Ireland were known as Barristers, but whatever their other denomination might be the Letters Patent and the rules of Court admitted them into the Court only as Advocates. The other class, viz., Vakil, was recruited from the law graduates of the various recognised Universities in India and was entitled on admission as such to practise and plead on the Appellate Side of the Court only. And Barristers and Vakils, each had his own separate robe. Previously there was no gown for the Vakils—"chadar" or "chapkan" with head-dress was the usual dress for them, but in 1907, blue gowns without bands were prescribed for them. This state of things continued till 1925 when the High Court of Calcutta modified its own rules of Court so as to

admit Vakils of 10 years' standing to practise as Advocates with the same status and etiquette as Advocates under the pre-existing rule. These newly recruited Advocates from the rank of Vakils accordingly took the Advocates' gown and bands which were really not different from the Barristers' gowns and bands. The next stage is the passing of the Bar Councils Act in 1926 which, as I have said before, gave statutory recognition to the principle of one Bar by doing away with the denomination and class of Vakil as a separate unit and directed the High Court to maintain one single roll of Advocates. One should have expected that the High Court at this time would, in conformity with the single roll of Advocates, make similar rules with regard to robes in order to bring uniformity. Curiously, however, the Hon'ble High Court instead of bringing uniformity in robes made the following rule in June 1929: (A) Advocates entered on the roll of Advocates of the High Court of Judicature at Fort William in Bengal will wear a black gown of alpaca cut after the pattern of the gown worn by King's Counsel with sleeves to the elbow only. (B) Advocates entitled to practise on the Original Side may wear bands. (C) Barristers may wear their own gown. (D) Advocates not entitled to practise on the Original Side will not wear bands. That is to say, the High Court in spite of the intentions of the Legislature would still maintain the distinction between classes of Advocates. This raised consternation and on further representation the Court amended its rule by adding "that Advocates who had been Vakils might wear their blue gowns without bands". It is in this manner that the three kinds of robes came into existence: (*i*) an Advocate's robe prescribed by the Court; (*ii*) a Barrister's robe; (*iii*) a blue gown prescribed by the Court in 1907 for Vakils. And this in spite of the law expressly directing the High Court to maintain a single roll of Advocates. Then, again, some of the Barrister Judges were so very conservative about the Original Side of the Court that in spite of the Court expressly ruling, as I have said, that Advocates who have been Vakils may wear their blue gowns without bands, one learned Judge sitting on the Original Side refused audience in Court to an Advocate robed in blue gown, though he was sworn in for the Original Side in that robe. And a Division Bench sitting in appeal from the Original Side took similar exception to an Advocate with blue gown. So that the Court itself has not followed its own rules.

In this anomalous state of things I want the House to enact that there must be one uniform robe for all Advocates—be he a Barrister or non-Barrister in whatever manner qualified. And there is no reason why that should not be so. If you have only one single Bar you must also have one single robe. Passingly, I may also inform the House that the ten years' rule for practice on the Original Side has also been modified now and only 3 years' practice has been substituted, so that the distinction between the Original and the Appellate Sides of the Court is now practically gone.

I have no special fancy for the Barristers' gown or any other robe. All that I have wanted is uniformity. Let the Court decide on the kind of robe. This is what I have provided for in section 4 of the Bill.

Mr. DEPUTY PRESIDENT: Motion moved: that the Advocates' Robes Bill, 1941, be taken into consideration.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, my hon'ble colleague Khan Bahadur Abdul Karim will formally move this amendment, but as there is another amendment by Mr. Lalit Chandra Das, I wish to say here that I am prepared to accept his amendment.

Now, Sir, I have heard Rai Bahadur Brojendra Mohan Maitra's speech with deep interest. There is no question that the difference in the various cadres in the profession has agitated the minds of the members of the Indian Bar for a considerable length of time. The difference is purely historical in origin. When the Supreme Court of Calcutta was established in 1773 only members of the English Bar started practice before the High Court and as time went on we saw three sets of lawyers practising before the High Court: (1) members of the English Bar, (2) solicitors who are called members of the Incorporated Society and (3) Vakils. Sir, it was found difficult to maintain the convention of the Court that any member of the English Bar whatever his standing in the profession may be was senior in the matter of audience before the Court to any member of the Vakil Bar. The complaint was genuine with the result that the Bar Councils Act came into operation for the purpose of making one uniform rule for the three branches of the profession. Now, my hon'ble friend wishes to move this Bill for the purpose of removing the existing discrimination in the matter of robes. My hon'ble friend must be a sedulous student of Carlyle. In the 19th century Carlyle spoke of Sartor Resartus—clothes' philosophy. Sir, I am proposing that the Bill be circulated for the purpose of eliciting opinion for a specific reason. In spite of bringing pressure upon the Hon'ble High Court by means of a legislative enactment may I suggest to my hon'ble friend that I may as Judicial Minister of this province be permitted the privilege of being in contact with the Hon'ble High Court, so that this particular grievance may be enquired into and considered by the Hon'ble High Court in the first instance? Sir, I might remind you that the Hon'ble High Court is not irresponsive to the legitimate wishes and aspirations of the Legislature. During the last session I gave an assurance to this House that with reference to one matter, namely, the saying of *Jumma* prayer on Friday in the High Court I would take the matter to the Hon'ble the Chief Justice and his other hon'ble colleagues and I am glad to announce to-day in this connection that the Hon'ble the High Court has listened to the request which was made by Government on behalf of the Muslims of this province.

This matter, Sir, I shall also explain to the Hon'ble High Court who, I hope, will realise the legislative point of view. I, therefore, suggest that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th of April, 1943. If you will allow me to accept the amendment of my friend Mr. Lalit Chandra Das, then I shall substitute 30th of April, 1943, by the 31st January, 1943. With your permission my hon'ble colleague will just formally move it.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th April, 1943.

Mr. LALIT CHANDRA DAS: Sir, I beg to move that in the motion of the Hon'ble Khan Bahadur M. Abdul Karim relating to the Advocates' Robes Bill, 1941, for the words and figures "the 30th April, 1943", the words and figures "the 31st January, 1943" be substituted.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I beg to support the motion of Mr. Lalit Chandra Das. In view of the assurance that has been given by the Hon'ble Mr. Banerjee, I think we should wait to see what the High Court——

Mr. DEPUTY PRESIDENT: Two amendments have been moved, one by Khan Bahadur M. Abdul Karim which runs as follows:—

> That the Bill be circulated for the purpose of eliciting opinion thereon, by the 30th April, 1943,

and another by Mr. Lalit Chandra Das which reads as follows:—

> That in the motion of the Hon'ble Khan Bahadur M. Abdul Karim relating to this Bill, for the words and figugres "the 30th April, 1943" the words and figures "the 31st January, 1943" be substituted.

Mr. HAMIDUL HUQ CHOWDHURY: As I was saying, Sir, when I moved the Bill for amendment of the Bar Council Act for the purpose of putting the members of the profession on both sides on the same footing, the High Court very reasonably considered the question and, in fact, has now put all sections of the profession,—except on the question of robes, on equal footing. If it is brought to the notice of the High Court,—though on the past occasion the Court was divided—for the purpose of removing this distinction, now that the Advocates happen to be adequately represented, on the Bench; it may be expected that they will be able to induce the Barrister Judges who are still opposed to removing this distinction.

They may change their attitude and give effect to this very modest request. For this purpose, I submit that as the Hon'ble the Minister-in-charge has accepted the amendment of Mr. Lalit Chandra Das, the House also should accept the amendment and give an opportunity to the High Court to change its attitude, failing which I submit the Government should support the Bill of Rai Bahadur Brojendra Mohan Maitra and give effect to it.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I accept the amendment moved by Mr. Lalit Chandra Das that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st January, 1943.

Mr. DEPUTY PRESIDENT: The question before the House is that in the motion of the Hon'ble Khan Bahadur M. Abdul Karim relating to the Advocates' Robes Bill, for the words and figures "the 30th April, 1943", the words and figures "the 31st January, 1943" be substituted.

(The original amendment, as further amended, was agreed to.)

The Bengal Hindu Women's Rights to Agricultural Land Bill, 1941.

Khan Bahadur NAZIRUDDIN AHMAD: I beg to move that the Bengal Hindu Women's Rights to Agricultural Land Bill, 1941, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister-in-charge of the Revenue Department,

(2) Mr. Lalit Chandra Das,

(3) Mr. Bankim Chandra Datta,

(4) Rai Bahadur Manmatha Nath Bose,

(5) Mr. Nur Ahmed,

(6) Mr. Shrish Chandra Chakraverty,

(7) Mr. Dhirendra Lal Barua,

(8) Mr. J. B. Ross,

(9) Mr. Birendra Kishore Roy Chowdhury,

(10) Mr. Sachindra Narayan Sanyal, and

(11) the mover,

with instructions to submit their report by the 30th September, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

But with your permission, Sir, I would like to change the date—30th September, 1942—to the 15th November, 1942, as I think this date will be more suitable for the purpose.

Sir, the House is aware of the history of this Bill. A Central Act was passed relating to the properties of Hindu widows. It was found that the Bill was passed in the Council of State after the Government of India Act of 1935 came into operation. By this Act, the devolution of rights to "agricultural land" had become a provincial subject. So the matter went to the Federal Court and that Court has held that that part of the Act which relates to agricultural land in the Governors' Provinces was *ultra vires*. We have now two sets of contradictory laws on the subject, one a Central Act dealing with properties which are not agricultural and an anomalous law for agricultural land in the Governors' provinces. This anomaly has led to considerable dislocation regarding Hindu widows' rights. In fact, agricultural land forms a very large part of the properties in the mofussil and so there is a gap in the rule relating to the major part of the

properties of Hindu widows. That is why I was induced to submit this Bill for the consideration of the House. My friend Rai Bahadur Manmatha Nath Bose has also given notice of a Bill on similar lines.

I understand there are a few Bills which were submitted in another place in this Legislature on similar lines. This Bill is the first to have been introduced in any Legislature in India. This Bill, Sir, is very important. It is calculated to remove a lacuna in the Act. With regard to the drafting of the Bill, the matter has been considered by the Rau Committee. It has fully gone into the difficulties and anomalies which may arise. The Bill was circulated for eliciting public opinion thereon and a very large volume of public opinion was received in favour of it. Some defects have been pointed out by Mr. Barua of our side of the House and a few others. These have been carefully considered by the Rau Committee and it has come to a decision on the matter. It has suggested an all-India Act at a future date. They have settled a draft for the consideration of the Provincial Legislature. I understand that the Government of India have sent a draft Bill for consideration of the Provincial Legislature and one has been received by the Government of Bengal. That is also on similar lines to this Bill. The object of the present motion is to consider the present Bill along with the suggestions of the Government of India and the report of the Rau Committee as well as other similar Bills which are pending. If a full consideration takes place, I think a formula may be arrived at and a proper draft may come out of the Select Committee. With these words, I commend my motion to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Hindu Women's Rights to Agricultural Land Bill, 1941, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,
(2) Mr. Lalit Chandra Das,
(3) Mr. Bankim Chandra Datta,
(4) Rai Bahadur Manmatha Nath Bose,
(5) Mr. Nur Ahmed,
(6) Mr. Shrish Chandra Chakraverty,
(7) Mr. Dhirendra Lal Barua,
(8) Mr. J. B. Ross,
(9) Mr. Birendra Kishore Roy Chowdhury,
(10) Mr. Sachindra Narayan Sanyal, and
(11) the mover,

with instructions to submit their report by the 15th November, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Mr. MESBAHUDDIN AHMED: On a point of order, Sir, The Opposition has not got adequate number of members on the Select Committee as provided by the rule. According to rule we should have at least 3 members on the Select Committee. But we have got only Mr. Nur Ahmed of our party on this Committee.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, the point of order raised by my friend Mr. Mesbahuddin Ahmed is a sound one. But I may point out that this Bill relates to Hindu widows only and I thought there would not be any objection if a departure is made in this case. I can assure the members opposite that it was not with a spirit of excluding the members of a particular section of the House that these names were given. It was thought that in this committee, more Hindus would be desirable, as this Bill concerns the Hindus only. It is only a matter of pride that I have had the good fortune of bringing forward this Bill first in order of time to serve the Hindu community. I, however, think the matter may be settled amicably.

Mr. HAMIDUL HUQ CHOWDHURY: Does Khan Bahadur Nazir-uddin Ahmad exclude himself from the Muslim community—he is taking this interest for the Hindu widows?

Khan Sahib ABUL QUASEM: Sir, it would appear that Khan Bahadur Naziruddin Ahmad exempted himself from the category of Muslims. I think, Sir, he should not have concerned himself and taken the initiative in this matter. It is in the fitness of things that he should have waited for a Hindu member to move a Bill of this kind.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, it is a most queer way of looking at things.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to draw the attention of the House to rule 56(*2*) of our Rules which clearly shows the manner in which the select committee personnel should be fixed "represent—as far as possible the different parties in the Council".

Mr. MESBAHUDDIN AHMED: The opposition has always got four seats.

Mr. DEPUTY PRESIDENT: The objection raised by the Opposition has considerable force and clause (*2*) of rule 56 also supports the contention of the Opposition. But there is one difficulty as regards the interpretation of the words "as far as possible" in the rule. So, in this case it would be an act of good grace if this question is settled by mutual agreement.

Mr. HAMIDUL HUQ CHOWDHURY: This may be settled by the whips of the different parties. In fact, this Bill is being referred to 22 members of the Select Committee sitting simultaneously.

Khan Bahadur NAZIRUDDIN AHMAD: No, there are two Bills.

Mr. LALIT CHANDRA DAS: My friends over the opposite should not be impatient. The other motion has not yet been moved.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I beg to propose a short-notice amendment to this Select Committee motion to the effect that 3 more members of the Opposition should be in the Select Committee, namely, Mr. Mesbahuddin Ahmed, Khan Sahib Abul Quasem and Dr. Kasiruddin Talukdar.

Mr. DEPUTY PRESIDENT: But you cannot increase the total number of the personnel.

Mr. HAMIDUL HUQ CHOWDHURY: Let them find out who will go out.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, may I suggest that this Bill may be passed over for the time being. In the meantime, we may have a talk with the different parties and arrive at a settlement.

Mr. DEPUTY PRESIDENT: A point of order has been raised by the Opposition regarding the number of members to be taken from the Opposition in the Select Committees. But before I give ruling on this point I think, as has been suggested by the Hon'ble Mr. Pramatha Nath Banerjee, that the different parties should meet and try to arrive at an amicable settlement. So I adjourn the House for 10 minutes.

(The House re-assembled at 3-20 p.m. after the adjournment.)

Rai Bahadur KESHAB CHANDRA BANERJEE: Sir, I do not think it will be possible to bring about a settlement regarding the constitution of the Select Committee. So, with your permission, I beg to move an amendment. My amendment is that for the names of Mr. Bankim Chandra Datta and Mr. Shrish Chandra Chakrabarty, the names of Khan Sahib Abul Quasem and Rai Bahadur Brojendra Mohan Maitra be substituted.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With your permission, I will read——

Mr. DEPUTY PRESIDENT: Let me put the amendment of Rai Bahadur Banerjee. Amendment moved: that for the names of Mr. Bankim Chandra Datta and Mr. Shrish Chandra Chakrabarty the following names be substituted, namely:—

(1) Khan Sahib Abul Quasem, and

(2) Rai Bahadur Brojendra Mohan Maitra.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I propose another short-notice amendment. For the name of Mr. Bankim Chandra Datta, the name of Khan Sahib Abul Quasem be substituted and for the name of Mr. Sachindra Narayan Sanyal the name of Mr. Hamidul Huq Chowdhury be substituted.

Mr. DEPUTY PRESIDENT: I have received notice of another short-notice amendment from the Leader of the Opposition, as follows:—

"that in place of the names Bankim Chandra Datta, and Sachindra Narayan Sanyal" the names of "Khan Sahib Abul Quasem" and "Mr. Hamidul Huq Chowdhury" be substituted.

I regret very much that on a trifling matter like this no compromise could be effected between the parties.

I shall now put the amendment of Rai Bahadur Keshab Chandra Banerjee to vote.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On a point of order, Sir. Is it rather not a matter to be decided according to the rules of this House and not by vote, because according to the rules the Opposition is to get a quota proportionate to the strength of the party?

Mr. LALIT CHANDRA DAS: But "as far as possible".

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, certainly as far as possible; but here it was not impossible to get a larger number from the Opposition. It is quite possible to give the Opposition three members and we are entitled to get this number as a matter of right. My submission, therefore, is that Mr. Lalit Chandra Das's amendment should not be put to vote, but it should be decided according to the rule as it stands. According to rule, I may repeat, we are entitled to a quota of three.

Mr. DEPUTY PRESIDENT: Order, order. When two honourable members have moved two short-notice amendments, I thought that the Opposition waived their claim to have a ruling from the Chair on the point of order raised by Mr. Mesbahuddin Ahmed. If the Opposition insists on a ruling, then I shall give my ruling.

Mr. MESBAHUDDIN AHMAD: Yes, Sir, we do insist on a ruling from the Chair, so that in future such a thing may not happen again. The Congress party had their quota of three or four members on every Select Committee, although we have a larger membership in this House than the Congress. We should have at least four members on Select Committees.

Mr. DEPUTY PRESIDENT: Order, order. Rule 56 is clear on this point, that Select Committees should be constituted of members proportional to the number of the members of the parties. In this case I find

that the motion moved by Khan Bahadur Naziruddin Ahmad militates against rule 56(2). So I rule the motion out of order.

Khan Bahadur NAZIRUDDIN AHMAD: In that case, Sir, suitable amendments in the personnel may be allowed by changing some names.

Mr. DEPUTY PRESIDENT: Order, order.

The Bengal Hindu Women's Rights to Property Bill, 1941.

Rai Bahadur MANMATHA NATH BOSE: Sir, I beg to move that the Bengal Hindu Women's Rights to Property Bill, 1941, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,
(2) Dr. Radha Kumud Mookerji,
(3) Mr. Kamini Kumar Dutta,
(4) Mr. Shrish Chandra Chakraverty,
(5) Mr. Lalit Chandra Das,
(6) Rai Sahib Jatindra Mohan Sen,
(7) Khan Bahadur Naziruddin Ahmad,
(8) Mr. W. B. G. Laidlaw,
(9) Khan Bahadur Saiyed Muazzamuddin Hosain,
(10) Khan Bahadur Abdul Hamid Chowdhury, and
(11) the mover,

with instructions to submit their report within two months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be three.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Hindu Women's Rights to Property Bill, 1941, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,
(2) Dr. Radha Kumud Mookerji,
(3) Mr. Kamini Kumar Dutta,
(4) Mr. Shrish Chandra Chakraverty,
(5) Mr. Lalit Chandra Das,
(6) Rai Sahib Jatindra Mohan Sen,
(7) Khan Bahadur Naziruddin Ahmad,

(8) Mr. W. B. G. Laidlaw,

(9) Khan Bahadur Saiyed Muazzamuddin Hosain,

(10) Khan Bahadur Abdul Hamid Chowdhury, and

(11) the mover,

with instructions to submit their report within two months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be three.

Mr. MESBAHUDDIN AHMED: May I point out, Sir, here there is the same difficulty as in the case just now decided?

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I also support the objection raised by my friend opposite, especially in view of the fact that the next resolution coming from the Opposition offends against the rule more horribly than this one.

Mr. DEPUTY PRESIDENT: Under the same rule 56, I regret I have to rule this motion also out of order.

The Bengal Court of Wards (Amendment) Bill, 1940.

Mr. NUR AHMED: I beg to move that the Bengal Court of Wards (Amendment) Bill, 1940, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,

(2) Khan Sahib Abul Quasem,

(3) Mr. Kamini Kumar Dutta,

(4) Mr. Lalit Chandra Das,

(5) Mr. J. B. Ross,

(6) Mr. Khorshed Alam Chowdhury,

(7) Mr. Mesbahuddin Ahmed,

(8) Khan Bahadur Naziruddin Ahmad, and

(9) the mover,

with instructions to submit their report within three months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be three.

Sir, in moving this motion I do not like to deliver a long speech. The principle of the Bill has been explained more than once in this House. In this Bill the *debuttar* and wakf estates have been included and the definition of these estates clearly set out. This Bill is designed to benefit the insanes, widows and imbeciles, and I hope the House will accept my motion.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Court of Wards (Amendment) Bill, 1940, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,
(2) Khan Sahib Abul Quasem,
(3) Mr. Kamini Kumar Dutta,
(4) Mr. Lalit Chandra Das,
(5) Mr. J. B. Ross,
(6) Mr. Khorshed Alam Chowdhury,
(7) Mr. Mesbahuddin Ahmed,
(8) Khan Bahadur Naziruddin Ahmad, and
(9) the mover,

with instructions to submit their report within three months from the date of reference and that the number of members whose presence shall be necessary to constitute a quorum shall be three.

Khan Bahadur NAZIRUDDIN AHMAD: On a point of order, Sir. I find that there are 9 members in this Select Committee. The Opposition would be entitled to 3 seats only if there were 11 persons in the Select Committee. In this case the total number of the proposed committee is only 9 and so the quota of the Opposition should be something less than 3. The proposed allotment of seats in this Select Committee is more in contravention of the rule because though we are larger in number we have been given only 3 seats just like the Opposition. So it offends against the salutary rule which has been formulated by the Leader of the Opposition and I seek his authority to uphold my objection.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Sir, I also find that none of my party has been represented on the Select Committee. Under the present rule and also under your ruling, I think this motion too is out of order.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, may I move my amendment, so that all the points of order may lie buried for the time being?

Khan Bahadur NAZIRUDDIN AHMAD: But the point of order must be decided first.

Mr. NUR AHMED: Then, Sir, may I move a short-notice amendment?

Khan Bahadur NAZIRUDDIN AHMAD: But during a point of order nothing can be raised except another point of order to this one.

Khan Sahib ABUL QUASEM: Sir, may I have your permission to move a short-notice amendment?

Mr. DEPUTY PRESIDENT: But before I permit you to move the short-notice amendment, I shall have to decide the point of order raised. I am of opinion that the objection raised by the Leader of the Progressive Coalition Party is valid and so I rule this motion out of order.

The Bengal Urban Poor Relief Bill, 1940.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Bengal Urban Poor Relief Bill, 1940, be referred to a Select Committee consisting of:—

(1) The Hon'ble Mr. Santosh Kumar Basu, Minister in charge of the Public Health and Local Self-Government Department,

(2) Khan Bahadur Ataur Rahman,

(3) Khan Sahib Abul Quasem,

(4) Mr. Nur Ahmed,

(5) Mr. Amulyadhone Roy,

(6) Mr. R. W. N. Ferguson,

(7) Rai Sahib Jogendra Nath Roy,

(8) Mr. Lalit Chandra Das,

(9) Mr. Naresh Nath Mookerjee,

(10) Rai Manmatha Nath Bose Bahadur, and

(11) the mover,

with instructions to submit their report by the 22nd December, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Sir, in moving this motion I have only to give a very brief account or rather purport of the Bill which I propose to send to the Select Committee. Sir, the Bill provides that two separate lists should be maintained in every municipality—one of ordinary decrepit poor persons who cannot earn their livelihood except by begging and the other of disabled and indigents with infectious diseases such as leprosy and other diseases. These lists should be prepared by every municipality and the municipality should arrange for the segregation and maintenance of indigents and diseased persons suffering from contagious diseases. These are the only two provisions of the Bill and I think it is certainly a move in the right direction. After the Bill was sent out for eliciting public opinion, it was found that all the persons and associations who gave their opinions are in favour of the object of the Bill. Only in respect of some of the provisions there have been certain objections. Some of them objected on the ground that maintenance of people suffering from contagious diseases will mean an influx into all

municipalities of people with infectious diseases and it would be beyond the capacity of the municipalities to maintain them. I think, Sir, this can be obviated if the Bill is sent to the Select Committee which can make a provision that any one coming to the municipality with infectious diseases after the preparation of the list will not be entitled to any help. If some such provision is made, there cannot be any objection. There is another objection that the resources of the municipalities are slender and it will not be possible to maintain the lepers. Sir, I think a start should be given and then it would be for the Government to come forward and render necessary help. As a Member of the Upper House, I think we cannot initiate any finance Bill which proposes any taxation. That was the reason why I could not provide any finance for this Bill. It would be for the Government to do the needful if they find that it is not possible for the municipalities to undertake the work. I think, Sir, it cannot be denied by anybody, whether he is in opposition or not, that it is a laudable object and something should be done. Time has come when something should be done for the poor of the country, specially for the poor with infectious diseases. Government has got two obligations to discharge in this connection. One obligation is for the people who live in the town. They have to see that the disease does not spread in the town, and secondly they have to see that those people with diseases who roam about in the town are somehow maintained. Their means of living is begging and begging by such persons means a great danger to the public. I think this is a matter which should receive our attention. It would be regrettable if this Bill is sent for re-circulation as is proposed by Government. It would mean virtually throwing out the Bill. Then it will mean that the Government has not sympathy with the object of the Bill. Let the Government come forward and say that they promise to introduce a comprehensive Bill in which they will put in all the provisions of this Bill, and they will improve upon it, instead of throwing it out. If the Government can give an assurance like that, I will be glad to withdraw my Bill. Otherwise, I think a Bill like this should not be thrown out or deferred on the plea that it should be re-circulated. With these words, I commend my motion for the acceptance of the House.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Urban Poor Relief Bill, 1941, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Santosh Kumar Basu, Minister in charge of the Public Health and Local Self-Government Department,

(2) Khan Bahadur Ataur Rahman,

(3) Khan Sahib Abul Quasem,

(4) Mr. Nur Ahmed,

(5) Mr. Amulyadhone Roy,

(6) Mr. R. W. N. Ferguson,

(7) Rai Sahib Jogendra Nath Roy,

(8) Mr. Lalit Chandra Das,

(9) Mr. Naresh Nath Mookerjee,

(10) Rai Manmatha Nath Bose Bahadur, and

(11) the mover,

with instructions to submit their report by the 22nd December, 1942, and that the number of members whose presence shall be necesasry to constitute a quorum shall be four.

Rai Bahadur KESHAB CHANDRA BANERJEE: On a point of order, Sir. I find that in this particular case also, the motion offends against rule 56 on which other motions have been ruled out The simple ground is that the Coalition Party is unrepresented in the Select Committee and no representation has been given to that party.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The Coalition Party has been given its full quota.

Rai Bahadur KESHAB CHANDRA BANERJEE: On the contrary, no representation has been given to the Coalition Party.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I do not know how the hon'ble member can put up such a contention. There are Khan Bahadur Ataur Rahman, Mr. Amulya Dhone Roy, Rai Sahib Jogendra Nath Roy, Mr. Lalit Chandra Das and Mr. Naresh Nath Mookerjee. There are as many as five members put up and still the hon'ble member says that the party is unrepresented?

Rai Bahaur KESHAB CHANDRA BANERJEE: Rai Sahib Jogendra Nath Roy belongs to the Progressive Party.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, at least four members have been nominated. Besides, every other party has been given seats.

Rai Bahadur KESHAB CHANDRA BANERJEE: But not the Congress group.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, the Congress party is not attending the present session. Besides, on a previous occasion the Chair ruled that as the Congress party was not attending, it might be left out in constituting Select Committees.

Khan Bahadur NAZIRUDDIN AHMAD: That was no ruling but a passing remark by the Chair; it did not constitute a definite ruling by the Chair. Therefore, acting upon that would have the effect of contravening the rules.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Well, in this case the words "as far as possible" might apply.

Mr. DEPUTY PRESIDENT: Is it the contention of Rai Keshab Chandra Banerjee Bahadur that the Congress Party is not at all represented?

Rai Bahadur KESHAB CHANDRA BANERJEE: Yes, Sir.

Khan Bahadur NAZIRUDDIN AHMAD: The Progressive Coalition Party has not been able to secure its proper representation either.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Why, they have got as many as five members—more than their quota. What is the total number of your party?—perhaps not more than 18.

Khan Bahadur NAZIRUDDIN AHMAD: There is a list in the office which shows our membership—perahps it is 18 in number.

Mr. DEPUTY PRESIDENT: Order, order. The Progressive Coalition Party has got 5 representatives and the Progressive Party has got two on the Select Committee. On a careful consideration I find that, strictly speaking, this motion does not militate against rule 56, because the Congress Group is not attending this session. So I think the Opposition is entitled to get the benefit of the rider "as far as possible". Therefore, I hold the motion to be in order.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that the Bill be re-circulated for the purpose of eliciting opinion thereon by 31st March, 1943.

Mr. DEPUTY PRESIDENT: Amendment moved: that the Bengal Urban Poor Relief Bill, 1940, be re-circulated for the purpose of eliciting further opinion thereon by 31st March, 1943.

Khan Sahib ABUL QUASEM: Sir, the Hon'ble Minister who has proposed that this Bill should be re-circulated for the purpose of eliciting further opinion has not vouchsafed any reason as to why this course should be adopted. The hon'ble member in charge of the Bill has already given an indication of the opinions that have been received as a result of circulation that was previously made and has also given an analysis of the different views elicited. He said that there is a consensus of opinion in favour of the object of the Bill: as regards the workability of the Bill there has been objection. Now, Sir, what we should like to know is whether the Government is in favour of the Bill or whether they object to this Bill. If they are in favour of this Bill, then what is the use of sending it for circulation again and again? Will the Government make a clear declaration

as to their intention in this respect? If they do not favour it, let them declare it and I can understand that. But what is the use of taking the subterfuge of circulation after circulation if they do not favour it? Let them give their clear views on the point—whether they are in favour of the principle of the Bill or they are opposed to it. If they are in favour, if they have no objection, then why should not the Bill be sent to a Select Committee, as has been suggested by the Leader of the Opposition? May I humbly enquire how many times is this Bill to be circulated? It has already been circulated and opinions have been received. If it is again circulated, some more opinions will be collected and they will be printed. Printing in these days is a costly affair, the price of paper is very high; so fresh circulation will mean waste of money and time as well. Again I appeal to the Government to state clearly whether they are in favour of or against this Bill. Let them kill it if they do not like it; but what is the use of wasting the time of the House and of public money? I must say that the Hon'ble Minister-in-charge has not been fair to the House.

The Hon'ble Khan Bahadur M. ABDUL KARIM: When I asked that this Bill be circulated again, evidently I meant that the opinions already received and received up to date were not sufficient to enable the Government to make up their mind, especially in view of the fact that the Bill was introduced as far back as 1940 and that it may be necessary to modify our attitude.

Mr. DEPUTY PRESIDENT: The question before the House is: that the Bengal Urban Poor Relief Bill, 1940, be re-circulated for the purpose of eliciting further opinion thereon by 31st March, 1943.

The motion being put, a Division was called with the following result:—

AYES—16.

Ahmad, Khan Bahadur Nazimuddin.	Lamb, Sir T.
Banerjee, Rai Bahadur K. C.	Mookerjee, Mr. Naresh Nath.
Barua, Mr. D. L.	Nimmo, Mr. T. B.
Chowdhury, Mr. Khorshed Alam.	Ray, Mr. Nagendra Nath.
Chowdhury, Khan Bahadur Rezzaqul Haider.	Roy, Mr. Amulyadhone.
Das, Mr. L. C.	Roy, Rai Bahadur Radhica Bhusan.
Kabir, Mr. Humayun.	Roy Chowdhury, Mr. B. K.
Karim, The Hon'ble Khan Bahadur M. Abdul.	Sinha, Raja Bahadur Bhupendra Narayan.

NOES—6.

Ahmed, Mr. Mesbahuddin.	Molla, Khan Sahib Subidali.
Ahmed, Mr. Nur.	Momin, Begum Hamida.
Hosain, Khan Bahadur Saiyed Muazzamuddin.	Quasem, Khan Sahib Abul.

Mr. DEPUTY PRESIDENT: Order, order. The House has divided. For the amendment—16; against the amendment—6.

The amendment is, therefore, carried.

The Bengal Land Alienation Bill, 1940.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Bill be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,

(2) Mr. Nur Ahmed,

(3) Khan Bahadur Naziruddin Ahmad,

(4) Mr. Lalit Chandra Das,

(5) Khan Bahadur Ataur Rahman,

(6) Mr. Amulyadhone Roy,

(7) Mr. Naresh Nath Mookerjee,

(8) Mr. Humayun Kabir,

(9) Rai Manmatha Nath Bose Bahadur,

(10) Mr. R. W. N. Ferguson, and

(11) the mover,

with instructions to submit their report by the 22nd December, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

The object of the Bill is to restrict the transfer of lands to non-agriculturists and also to people already having a large quantity of land. Provision has been made to the effect that at the time of executing a transfer deed, the transferee or his authorised agent shall have to note in the document that he has not more than a certain quantity of land in his possession and that he is not a non-agriculturist. If this statement is found at any time to be untrue, the whole transaction will stand cancelled and the land will go back to the original vendor. This is the real object of the Bill. Sir, lands are fast passing to a large extent into the hands of non-agriculturists who are not able to cultivate the lands themselves and so let out to *bargadars* or to under-tenants. This is not desirable and the time has come that lands should be retained in the hands of real agriculturists. They should have sufficient land to get on with.

I may also mention, Sir, that since the passing of the last Bengal Tenancy (Amendment) Act, the number of transfers has increased tremendously. Practically it has become double the number, whereas the number of mortgages has gone down by half. This indicates how fast land is passing out of the hands of the agriculturists. It is, therefore, time that Government should intervene and do something to prevent the land from passing out of the hands of the agriculturists. It is with this object in view that I have brought forward this Bill and I hope the House will agree in referring the Bill to Select Committee.

With these remarks, I commend my motion to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Land Alienation Bill, 1940, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,

(2) Mr. Nur Ahmed,

(3) Khan Bahadur Naziruddin Ahmad,

(4) Mr. Lalit Chandra Das,

(5) Khan Bahadur Ataur Rahman,

(6) Mr. Amulyadhone Roy,

(7) Mr. Naresh Nath Mookerjee,

(8) Mr. Humayun Kabir,

(9) Rai Manmatha Nath Bose Bahadur,

(10) Mr. R. W. N. Ferguson, and

(11) the mover,

with instructions to submit their report by the 22nd December, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I rise on a point of order. The Leader of the Opposition laid down a very salutary rule that they were entitled to three members on every Select Committee of eleven members, although the Whip of the Party is of the opinion that they are entitled to four. In this case, however, it is found that they have put down only two members of their party on the Select Committee, and have thereby contravened the rule. Although it is their own Bill, yet the rule must be interpreted equally in all cases.

Mr. MESBAHUDDIN AHMED: Sir, it was due to an oversight.

Khan Bahadur NAZIRUDDIN AHMAD: I quite realise that there has been an oversight, but there is no reason why it should not be subject to the ordinary rule. It is now said to be due to an oversight, but the error in an earlier motion was also due to oversight and not to over-zealousness. Each is due to an oversight and the earlier oversight was not allowed to contravene the rule. The arguments advanced by the Leader of the Opposition regarding the quota of his party on a Select Committee must be accepted. In these circumstances, it is clear that the Opposition itself is, according to their own contention, under-represented on this Select Committee of their own, but that cannot be allowed; the spirit of the rule is absolute and cannot be contravened.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Mr. Deputy President, unless you permit me to move a short-notice amendment, I would be compelled to ask the leave of the House to withdraw my motion.

Mr. DEPUTY PRESIDENT: Order, order. Is it the pleasure of the House to give the mover leave to withdraw his motion?

Mr. DEPUTY PRESIDENT: As there is no dissentient voice, the motion is, by leave of the House, withdrawn.

The Bengal Emergency Rent Remission Bill, 1941.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I beg to move that the Bengal Emergency Rent Remission Bill, 1941, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,

(2) Mr. Nur Ahmed,

(3) Khan Sahib Abul Quasem,

(4) Rai Manmatha Nath Bose Bahadur,

(5) Mr. Humayun Kabir,

(6) Mr. Amulyadhone Roy,

(7) Khan Bahadur Ataur Rahman,

(8) Khan Bahadur Naziruddin Ahmad,

(9) Khan Bahadur M. Shamsuzzoha,

(10) Mr. R. W. N. Ferguson, and

(11) the mover,

with instructions to submit their report by the 22nd December, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, this is a simple Bill——

Mr. LALIT CHANDRA DAS: On a point of order, Sir——

Mr. DEPUTY PRESIDENT: Order, order, let Khan Bahadur finish his speech. You go on Khan Bahadur.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The object of this Bill is to give relief to the tenants holding tenancy under the private zemindars. During distress and famine, if their crops are destroyed by flood or drought they would be given relief just as tenants under the khas mahal get——

Mr. LALIT CHANDRA DAS: Can I not rise on a point of order, Sir?

Mr. DEPUTY PRESIDENT: Yes, what is your point of order?

Mr. LALIT CHANDRA DAS: My point of order is that the motion is out of order and he cannot speak so far as this motion is concerned. It is mere waste of time.

Mr. DEPUTY PRESIDENT: Let him finish his speech.

Mr. LALIT CHANDRA DAS: How can he speak if the motion is out of order?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I will cut short my speech. I know what would be the fate of my motion. The object of this Bill is to give some relief to the tenants under the private zemindars, the same relief which is granted to the tenants of the *khas mahal*. Why should the tenants of the private zemindars suffer and be deprived of this relief when the *khas mahal* tenants get it? Sir, under the rules, when crops are destroyed on account of distress or drought, the *khas mahal* tenants get certain remission of their rent. But the private zemindars do not give such remission to their tenants; this is very unfair. In the Touzi Manual, there is a special provision that the zemindars would get remission of their revenue provided they take proportionately reduced rent from their tenants. So far as I remember, the proportion is—if the zemindar makes a remission of Rs. 100, he is entitled to a remission of Rs. 20 or 30. So, as the portion is not equal, no private zemindar takes advantage of this provision. The tenants thus suffer in spite of there being a provision in the Touzi Manual. This is very undesirable and the tenants under the private zemindars do not deserve this sort of treatment. This is the reason why I have brought this Bill to give relief to the tenants under the private zemindars as their brother-tenants under the *khas mahal* get and I hope the House will agree to this Bill being sent to the Select Committee.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal Emergency Rent Remission Bill, 1941, be referred to a Select Committee consisting of—

(1) the Hon'ble Mr. Pramatha Nath Banerjee, Minister in charge of the Revenue Department,
(2) Mr. Nur Ahmed,
(3) Khan Sahib Abul Quasem,
(4) Rai Manmatha Nath Bose Bahadur,
(5) Mr. Humayun Kabir,
(6) Mr. Amulyadhone Roy,
(7) Khan Bahadur Ataur Rahman,
(8) Khan Bahadur Naziruddin Ahmad,
(9) Khan Bahadur M. Shamsuzzoha,
(10) Mr. R. W. N. Ferguson, and
(11) the mover,

with instructions to submit their report by the 22nd December, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Rai Bahadur KESHAB CHANDRA BANERJEE: On a point of order, Sir. I find again that in this motion also rule 56 has been contravened in that proper representation has not been given to the Progressive Party. Only one person has been included. I find also the name of only one member of the Bengal Congress Parliamentary Party on the Select Committee, whereas according to their party strength they are entitled to 3 and the Progressive Party 2. I ask your ruling on this point.

Mr. DEPUTY PRESIDENT: Order, order. Looking at lists of the members constituting the different groups I find that the total strength of the Congress Parliamentary Party is 7 and that of the Progressive Party 6. So, the two parties are entitled to one seat each and they have got it. I rule your objection out of order.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, I beg to move that the Bengal Emergency Rent Remission Bill, 1941, be re-circulated for the purpose of eliciting further opinion thereon by the 31st August, 1943.

Sir, this Bill has a chequered career. It was first introduced on the 15th March, 1940. It then rested for a while when the membership of the mover of the Bill expired on the 4th April, 1940. The previous Government at a Cabinet decision decided that a notice for circulation of the Bill should be given. That was done. Sir, my hon'ble friend, the mover of the Bill, invited the opinion of eight public bodies and I find from the records that most of them were against the proposed measure. The Statement of Objects and Reasons states specifically that the Bengal Tenancy Act deals with the reduction of rent only in section 38, but according to my hon'ble friend the provisions were not satisfactory and so he was obliged to introduce this measure before the House to deal with the abnormal low prices of 1930-36. So, this is an ancient thing.

Mr. DEPUTY PRESIDENT: Mr. Banerjee, how long will you take to finish your speech?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I shall finish within two minutes. According to my friend, the Bill deserves to be passed unopposed, but my hon'ble friend is a dreamer and the principles set forth in the Bill are principles which appeal to the sentiments. I am, therefore, obliged to move this amendment for re-circulation.

Mr. DEPUTY PRESIDENT: Amendment moved that the Bengal Emergency Rent Remission Bill, 1941, be recirculated for the purpose of eliciting further opinion thereon by the 31st August, 1943.

(The motion was agreed to.)

Mr. DEPUTY PRESIDENT: Will the Leader of the House be pleased to tell us to which date the House would be adjourned and what will be the business on that day?

The Hon'ble Khan Bahadur M. ABDUL KARIM: The Council meets next on Tuesday, the 29th instant, for further debate on the Chief Minister's statement. One day has already been devoted and Government will allow two more days.

Sir BIJOY PRASAD SINGH ROY: What is the difficulty of meeting on Monday?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I wish to submit, Sir, that we have tabled about 14 motions of which we have selected 5 to be actually discussed. If we are not allowed the facility of discussing them, I think, it would be shutting us out. I think it is desirable and the Hon'ble the Leader of the House will agree, if necessary, to have a sitting on Monday, so that the remaining 5 motions may be discussed. Two days will be necessary to discuss the five motions. I hope the Leader of the House will kindly concede this and permit us to have a sitting on Monday and also on Tuesday.

Khan Bahadur NAZIRUDDIN AHMAD: I think the rate at which we are progressing will take full 5 days. If we are to discuss 5 motions, I should rather think that we should have 5 days from Monday.

The Hon'ble Khan Bahadur M. ABDUL KARIM: I am afraid I cannot make any promise. But I can say this that we shall consider the matter on Tuesday after we have proceeded with some part of the business.

Sir BIJOY PRASAD SINGH ROY: What is the difficulty of meeting on Monday?

The Hon'ble Khan Bahadur M. ABDUL KARIM: We have other business.

Sir BIJOY PRASAD SINGH ROY: Certainly this House has got its own privileges.

The Hon'ble Khan Bahadur M. ABDUL KARIM: I have already announced——

Sir BIJOY PRASAD SINGH ROY: It is not a question of announcement. Members have come from the mufassil and they cannot be kept waiting while Government will be transacting other business.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Conveniently, I cannot take up any business on Monday and I have announced already that the next sitting will be on Tuesday.

Sir BIJOY PRASAD SINGH ROY: Sir, it has been the practice hitherto for the Chair to consult the Leader of the Opposition in deciding the sittings of the House. It is not for my friend to say that I have already announced.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, is it only the personal convenience of a particular Minister that settles or decides whether the House should sit on a particular day or not?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, this is not due to my personal convenience, but it is the decision of the Government that the Upper House shall not sit on Monday but on Tuesday.

Mr. DEPUTY PRESIDENT: Order, order. As far as I have understood the Opposition's point of view, I think they are anxious to have an extra day for the discussion of the Premier's statement. And if I have correctly understood and followed the Leader of the House, he has neither accepted nor refused the request of the Opposition to grant them another day for the discussion of the statement. But he has agreed to consider the question on Tuesday next. I do not think, therefore, that there is any reason to be anxious that no more time will be allotted for the discussion of the statement. Let us wait till Tuesday and see if Government can allot another day for the purpose.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On a point of order——.

Mr. DEPUTY PRESIDENT: Order, order. As it is considerably past our usual time of sitting, I adjourn the House till 2-15 p.m. on Tuesday, the 29th September.

Adjournment.

The Council then adjourned till 2-15 p.m. on Tuesday, the 29th September, 1942.

Members absent.

The following members were absent from the meeting held on the 25th September 1942:—

(1) Mr. Kader Baksh.
(2) Mr. S. C. Chakravarti.
(3) Mr. B. C. Datta.
(4) Mr. N. C. Datta.
(5) Mr. K. K. Dutta.
(6) Khan Bahadur Alhadj Khwaja Mohd. Esmail.
(7) Mr. R. W. N. Ferguson.
(8) Mr. K. L. Goswami.
(9) Mr. Mohamed Hossain.
(10) Khan Bahadur Syed Mohd. Ghaziul Huq.
(11) Maulana Muhammad Akram Khan.
(12) Mr. W. B. G. Laidlaw.
(13) Mr. J. McFarlane.
(14) Dr. R. K. Mookerjee.
(15) Mr. R. Pal Chowdhury.
(16) Khan Bahadur Muklesur Rahman.
(17) Rai Sahib J. N. Ray.
(18) Dr. K. S. Ray.
(19) Rai Sahib J. M. Sen.

BGP-42/3-8227A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 6.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 29th September, 1942, at 2-15 p.m., being the sixth day of the Second Session of 1942, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

QUESTIONS AND ANSWERS

Salt and Fishery industries.

10.* Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) if any suitable measures have been adopted and are proposed to be adopted by the Government of Bengal for the development of salt and fishery industries in Bengal; if so, what are they; if not, why not;

(*b*) whether it is a fact that on the motion of Mr. Nur Ahmed, M.L.C., resolutions were unanimously passed in the Bengal Legislative Council regarding development of, and help to, salt industries and fishery industries in Bengal;

(*c*) if so, whether the Government propose to give effect to these resolutions; if so, what steps have been taken by them in this respect; if not, why not;

(*d*) whether it is a fact that some private enterprises for the manufacture of salt have been set up in Chittagong; and

(*e*) if so, whether the Government propose to encourage these private enterprises with all possible help?

MINISTER in charge of the AGRICULTURE and INDUSTRIES and COMMERCE and LABOUR DEPARTMENTS (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) With a view to relieving the present scarcity, Government have under examination a scheme for extending the manufacture of salt by cottage workers, and have appointed an expert for a period of six months for the purpose of perfecting this scheme and supervising its introduction. Advantage will also be taken of the opportunity of re-examining the possibilities of larger scale manufacture.

In regard to fisheries, Government have appointed a Director of Fisheries who is being provided with a nucleus of technical staff consisting of 4 District Fishery Officers and 5 Field Assistants.

In view of the present emergency both departments have been directed to concentrate on schemes which are likely to have immediate importance in improving the food position.

(*b*) Yes.

(*c*) As stated above, effect is being given so far as the present emergency will permit.

(*d*) One firm under the name of Chittagong Trading Union, Limited, Fulchari, Chittagong, has been carrying on actual salt manufacture for the last four years, while a new company under the name of Eastern Salt Works, Limited, P.O. Pathantooly, Chittagong, has been registered early this year. It is not known whether this second firm is now producing salt.

(*e*) Government is desirous of assisting the establishment of this industry. The matter has been referred to the Bengal Industrial Survey Committee, and on receipt of their report will be again considered.

Loans advanced under the Bengal State Aid to Industries Act, 1931.

11. Khan Bahadur REZZAQUL HAIDER CHOWDHURY: Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*a*) the amount of loan up to date advanced to different persons under section 19 (*1*) (*a*) of the Bengal State Aid to Industries Act, 1931, since the introduction of the said Act;

(*b*) the amount recovered up till now;

(*c*) whether there was any default in payment of the instalments; if so, what action has been taken to recover the same; and

(*d*) what is the highest amount of loan sanctioned to an individual or a company and the name of such person or the company?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Rs.1,43,755.

(*b*) Rs.75,607 in principal and Rs.18,915 in interest.

(*c*) Yes. In minor cases, the default, i.e., delay in the payment of loan instalments, was condoned either by Government or by the Board of Industries. In other cases of default orders had to be issued for the seizure and sale of the loanees' properties for the realisation of dues under the Act, except in cases where at subsequent stages the parties concerned either paid off the dues in full or agreed to pay off the same in instalments approved by Government. In cases, however, where the dues were not fully covered by the sale-proceeds, further effective steps were being taken for the recovery of outstanding dues.

(*d*) Rs.10,000, (1) to Viswa-Bharati, Santiniketan, Birbhum, and (2) to Messrs. Chittaranjan Crochet Cotton Manufacturing Company of 37, Ghosh Lane, Calcutta.

Food crops.

12. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state if any comprehensive scheme has been drawn up for increasing the cultivation of food crops in Bengal?

(*b*) If the reply to part (*a*) is in the affirmative, will the Hon'ble Minister be pleased to make a statement giving the details of the scheme, and also as to when the scheme will be given effect to and how the cost will be met?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It is not possible to deal with the matter by a single scheme as the situation is constantly changing. All important aspects have however been dealt with. Among the schemes which Government have taken up are the following:—a comprehensive scheme of propaganda for the increase of food production including the importance of using the best seed, the importance of manure and the methods of increasing the supply of manure; the purchase and resale of improved paddy seed; the purchase and resale of improved *rabi* seed; the purchase and resale of vegetable and potato seed; the obtaining of transport facilities for the movement of various kinds of seed; the improvement of irrigation by the re-excavation of tanks; and the granting of agricultural loans where necessary for assisting food production.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister kindly state what additional allotment has been made for meeting the cost of these schemes?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, this is a comprehensive scheme If the honourable member kindly tells me what exactly he wants, I shall give him the information.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Has any additional allotment been made for this scheme regarding purchase of seeds etc.?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: For purchasing of seeds about Rs. 15 lakhs have been provided, for vegetable and potato seeds Rs. 3 lakhs and for other things Rs. 5 lakhs. If the honourable member wants detailed information, I may supply him with that. For the present, I have not got all the figures with me.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister please state whether these seeds are distributed free or at cost price?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: For every maund of seeds 1¼ times the crops are charged.

Khan Bahadur ATAUR RAHMAN: Are these seeds supplied from the Government farms or they are purchased in the local markets?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Government have started farms for improving seeds. So, Government distribute these seeds from their own farms.

Industrialisation of the country.

13. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether any comprehensive scheme has been drawn up by the Government for giving impetus to industrialisation of the country by seizing the opportunity of the War conditions?

(*b*) Will the Hon'ble Minister be pleased to state what the Government of Bengal have done for increasing the manufacture of articles for the War purposes?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) The Bengal Industrial Survey Committee as reconstituted in June last has been requested to submit *inter alia* an interim report immediately on the possibility of developing those industries which may be of special importance during the present emergency, indicating the impediments to industrial growth and how best to meet them and that report is being awaited.

(*b*) The following articles of the value noted against each have so far been supplied for the Defence Services through the Industries Department and to that extent their manufacture has been accelerated:—

(1) Camouflage nets	Rs.1 crore.
(2) Pith helmets	Rs.13 lakhs.
(3) Buttons, combs, etc.	Rs.2,12,715.
(4) Blankets	Rs.3,76,105.
(5) Parachute materials	Rs.6,75,809.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Has anything been done towards introducing the manufacture of articles which hitherto used to be imported from Japan and Germany?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already stated that we are waiting for the report of the Industrial Survey Committee. As soon as we get that report, we will try and do the needful.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: For how long the Industrial Survey Committee has been sitting?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The Committee probably has been sitting for the last three years or so.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Has any interim report been received?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: There has been a short *ad interim* report only on one or two subjects.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister consider the desirability of asking the Survey Committee to report promptly on the possibility of introducing the manufacture of new articles during the war time?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, Sir, most certainly.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state how these camouflage nets are manufactured and by whom?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: These camouflage nets are manufactured under the Government of India scheme and as far as I understand there are two systems. One is that there is a workshop opened somewhere near Dum-Dum in which a large number of people are employed and in which both strings and nets are prepared. Secondly, there are outside people who are also preparing and supplying the nets.

Mr. HAMIDUL HUQ CHOWDHURY: As regards the first part of the answer, is it being done on behalf of the Government of Bengal or in the interest of some of the officers of the department?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It is not done in the interest of officers of the department nor in the interest of the Government of Bengal. It is in the interest of the Government of India and also of the people of Bengal.

Mr. HAMIDUL HUQ CHOWDHURY: As regards the answer that it is being done under the Government of India, who controls the finances of the organisation at Dum-Dum?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The Government of India.

Mr. HAMIDUL HUQ CHOWDHURY: Has the Government of Bengal agreed that it will be between the Government of India and the Director of Industries direct the Ministers, when they were asked to take up the matter having refused as they were not prepared to finance?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The Government of Bengal agreed to give a loan of some of their officers for the purpose. Of course, the Government through their officers maintain a sort of supervision for the running of these industries.

Mr. HAMIDUL HUQ CHOWDHURY: Have the services of the Director of Industries been loaned to the Government of India?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: He has been allowed to supervise when he is not doing the ordinary work of the Government of Bengal.

Mr. HAMIDUL HUQ CHOWDHURY: Who is running the whole show?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The Supply Department of the Government of India.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: The Hon'ble Minister stated that the Government of Bengal refused to accept the task of manufacturing. Are we to understand that this has been forced on the Government of Bengal by the Government of India?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: What I have said is that we refused to take this up and finance it ourselves.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that some of the officers of his department are running these factories in the *benamis* of others?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: If the honourable member will kindly give me facts, I shall enquire.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that very recently the Government of Bengal issued an Ordinance for the purpose of controlling the sale of hemp, country hemp, the sunn-hemp, which is grown all over the country at prices determined by the Director of Industries?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, that is a fact.

Mr. HAMIDUL HUQ CHOWDHURY: For whose interest?

Mr. DEPUTY PRESIDENT: Order, order.

Mr. NARESH NATH MOOKERJEE: Will the Hon'ble Minister be pleased to state if it is a fact that when the Government of Bengal was first asked to supply camouflage nets they found that they were getting it at

very high prices from contractors but that since they themselves took up the direct manufacture and supervision of these camouflage nets, the prices were considerably reduced, almost to 25 per cent.?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That is a fact.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that when the Government of India were making use of contractors' labour, the labour was getting one rupee or one rupee two annas per day but that it has come down to six or eight annas a day now?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I could not say that off-hand; but, so far as I could gather, the workers, even the actual growers used to get more money till this innovation was started.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, my question has not been answered by the Hon'ble Minister, namely, whether it is a fact that the labourers now get six to eight annas a day only instead of one rupee or one rupee two annas that they used to get before?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice to answer this question more clearly.

Large-scale development of industries.

20. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state if any special measures and steps have been taken up to date or will be taken hereafter by the Government of Bengal for the encouragement and development of the following industries on a larger scale in Bengal:—

(*i*) Hand-made paper industry;

(*ii*) Soyabean cultivation as pioneer industry;

(*iii*) Improvement of potato crop; and

(*iv*) Improvement of sugarcane cultivation?

(*b*) If so, what are they?

(*c*) If not, why not?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Yes.

(*b*) *Hand-made paper industry.*—A three-year scheme for testing the commercial possibilities of the manufacture of hand-made paper as a small scale industry has been in operation since 1941 and what further steps can be taken in the direction will be determined in the light of the results obtained on the completion of the scheme.

Soyabean cultivation.—A few strains of soyabeans are already under experiment in several of the Government Farms. Research in this crop has also been included in the scheme now before the Imperial Council of Agricultural Research. Further strains are being collected.

Improvement of potato crop.—For breeding and selection work it is advisable to have a station situated above 6,000 feet sea level. Three tentative sites for such a station have already been selected and the final selection will be made before long and a scheme drawn up for the purpose. Suitable strains for such work are available at the Simla station working under the Imperial Council of Agricultural Research. It is proposed that, when a suitable strain has been obtained at the above station, which is in the Darjeeling district, it should be multiplied throughout that district for the purpose of supplying seed-potatoes for the plains.

Improvement of sugarcane cultivation.—A small cane station has been financed by the Imperial Council of Agricultural Research for over ten years. This works in collaboration with the main station at Dacca. A number of improved varieties have been put out and the selections are being multiplied at all Government Farms for distribution next cold weather. Improvement in cane cultivation has also been taken up by the Agricultural staff attached to the Sugar Unions in Rajshahi and Dinajpur districts and some progress has been made. Similar work has also been carried out in the Demonstration Centres and Thana Farms.

(*c*) Does not arise.

Supply of rice.

21. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state if it is a fact that the Province of Bengal is not self-sufficient in chief food, viz., rice, and has to depend on Burma for its supply?

(*b*) Are the Government aware that the supply of rice from Burma and elsewhere has been cut off?

(*c*) If so, what steps have been taken and are proposed to be taken by the Government of Bengal to ensure the necessary supply of rice sufficient and adequate enough for the consumption of the people of Bengal?

(*d*) What measures have been adopted and are proposed to be adopted for increasing the productivity of agricultural lands and for bringing under cultivation the cultivable waste lands in Bengal?

(*e*) What was the total quantity of rice imported in Bengal from Burma in 1937, 1938, 1939, 1940 and 1941 and 1942 (financial year), respectively, and what were their respective prices in each of these years?

(*f*) How much of this imported rice was really consumed in Bengal?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Bengal is not normally self-sufficient.

(*b*) Yes.

(*c*) Government have launched a "Grow More Food" campaign, the main object of which is to see by means of extensive cultivation of food crops that adequate food supply is maintained in the Province. A scheme for wide distribution of improved paddy seeds has also been sanctioned at a cost of Rs. 16,12,500.

(*d*) By extended use of the departmental seeds of staple crops. The departmental seeds sufficient to cover some half a million acres of *aman* paddy lands have since been distributed to the cultivators. Departmental seeds are also being procured to cover some 60,000 acres with mustard, gram and lentil. The supply of seeds for potatoes and vegetables is being organised. Information regarding the preparation of compost manure had been distributed widely.

(*e*) A statement is laid on the Table.

(*f*) I have no definite information. On the average Bengal's net import from all sources is only about 54,000 tons.

Statement referred to in reply to clause (e) of question No. 21.

	Quantity in tons.	Valued at Rs.
1937-38	145,223	1,19,24,213
1938-39	275,395	2,26,08,944
1939-40	637,437	5,81,37,562
1940-41	408,840	4,42,95,704
1941-42	356,568	5,45,59,772

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that in many cases the so-called improved seeds supplied from outside have proved a complete failure and they have not germinated at all?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The improved seeds which were distributed have produced at least double the quantity.

Mr. HAMIDUL HUQ CHOWDHURY: That is if they germinate; but my information is that they did not germinate at all: what about that?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have not received any report to that effect. If the honourable member will let me know where he has found such failure, I will——

Mr. HAMIDUL HUQ CHOWDHURY: Can you not let us have your own information and throw light on the matter?

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I object to this question: it is problematical.

Mr. HAMIDUL HUQ CHOWDHURY: It is not problematical. It is quite definite. I put the question to Khan Bahadur Naziruddin as to when they germinate——

Mr. DEPUTY PRESIDENT: Order, order. The question has been practically answered.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state what steps Government have taken to increase the supply of these improved seeds to the cultivators?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As I have already said in the printed answer, a scheme for wide distribution of improved seeds has been sanctioned at a cost of Rs. 16,12,500. I may mention that the improved seeds of the Government farms were distributed to the cultivators and from them we have again re-bought the seeds for distribution: that shows that the seeds germinated.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, the Hon'ble Minister has said that a scheme has been sanctioned at a cost of Rs. 16,12,500 for wide distribution of improved paddy seeds. It is said in the printed answer (*d*) that departmental seeds sufficient to cover some half a million acres of *aman* paddy lands have since been distributed to the cultivators—that cannot account for Rs. 16,12,500: where does the other portion come from?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I do not quite follow his question. Will he please repeat his question?

Mr. HAMIDUL HUQ CHOWDHURY: My question is: Government's own improved paddy seed acreage covers only half a million. Is the Government making any effort for the purpose of extending their own source of supply of improved paddy seeds? If so, what effort is he contemplating?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, as I have already said, these improved Government seeds are distributed to the cultivators and the yield of these seeds are again re-bought by Government from the cultivators for the purpose of distribution.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that these seeds are known to deteriorate after three years—his own experts say that these seeds lose power of germination in the fourth year?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I am not aware of any such thing.

Board of Economic Enquiry.

22. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state when the last meeting of the Board of Economic Enquiry was held?

(*b*) Why has no meeting of the Board been held for a long time?

(*c*) Is there not a whole-time gazetted officer in charge of the Board, with other officers, clerks and menials to work under him?

(*d*) What is the expenditure incurred annually by the Board?

(*e*) Was the Board entrusted with any enquiry connected with economic questions under war conditions?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) The last meeting was held on the 29th November, 1941.

(*b*) A meeting was due to be held in April, 1942, but as the question of keeping the Board in abeyance was raised with a view to financial economy no further meeting was held.

(*c*) Yes, a member of the Bengal Civil Service. There is no other officer except a few clerks and menials.

(*d*) The annual grant is Rs.15,000.

(*e*) An enquiry into the family budgets of industrial labourers with a view to prepare the cost of living index numbers for such labourers, in respect of the more important industrial zones is in progress. This has bearing on economic questions under war conditions. Apart from this, the Board has not been entrusted with any enquiry connected with economic questions under war conditions.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Am I to take it that the Board has not been functioning since April, 1942?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That may be so.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Is the service of that officer of the Bengal Civil Service still being retained?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Control of price.

23. Rai Sahib JOGENDRA NATH RAY: (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state if the Government are aware that in spite of notifications regarding control

of the prices of foodstuffs and other necessaries of life there is immense profiteering by the dealers almost everywhere in Bengal?

(*b*) What additional steps, if any, do the Government contemplate for the actual enforcement of the notifications and for the prevention of profiteering?

(*c*) Do the Government propose to open food centres in all district and subdivisional towns, for the supply of the articles of food at the control rates?

(*d*) Are the Government aware of the scarcity of salt, sugar and kerosene oil in Bengal?

(*e*) If so, have the Government in contemplation any further steps by which the aforesaid scarcity may be removed?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Government are aware that commodities are frequently sold above controlled prices and that there are cases of profiteering.

(*b*) The honourable member is referred to statements made by the Hon'ble Minister and myself from time to time.

(*c*) Not in all towns.

(*d*) Government are aware that sugar and kerosene oil are scarce.

(*e*) In the case of sugar, yes: In the case of kerosene no, except to make distribution more equal.

Rai Sahib JOGENDRA NATH ROY: Arising out of (*c*), will the Hon'ble Minister please state the names of those towns in which they are not going to open food centres?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Purchase of rice by the Government.

24. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state—

(*a*) if the Government of Bengal has purchased during the last eight months any quantity of rice or paddy in this Province;

(*b*) if so, what quantity of rice or paddy they have purchased and at what total price;

(*c*) for what purposes this rice or paddy has been purchased by the Government; and

(*d*) at what places the purchased rice or paddy has been stocked?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) The Government of Bengal purchased some rice and paddy but the arrangements were later taken over by the Government of India.

(*b*) The information cannot be disclosed without the consent of the Government of India and it would not be in the public interest to ask for their consent at the present stage.

(*c*) The purchases were originally made to remove the surplus from coastal areas and utilise the same in the public interest elsewhere.

(*d*) In Calcutta, in certain districts in North and North-West Bengal and in certain districts in East Bengal. Exact figures cannot be given because some rice and paddy is still in transit and furthermore rice and paddy stored in North and North-West Bengal is now being brought to Calcutta.

Mr. NARESH NATH MOOKERJEE: Will the Hon'ble Minister be pleased to state whether any portion of the rice bought from the surplus districts has been sold or exported to other province or other countries or is the entire quantity intact in Bengal?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state what is the present proposal of Government regarding this surplus stock which has been removed from coastal areas?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: We have got no proposal with regard to this surplus stock.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Government aware that rice is selling at an increased price of 50 to 100 per cent. more than normal price and has not the Government any duty to relieve the people by releasing a portion of it to the public for sale?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It is known to Government that rice is selling at more than controlled price, but as I shall be making a statement regarding the whole question of food supply on the Hon'ble the Chief Minister's statement, I would request the honourable members to wait up to that time.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that a portion of this paddy has been exported to Ceylon?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: From this province none has been sent to Ceylon.

Mr. HAMIDUL HUQ CHOWDHURY: Is any quantity contemplated to be sent to Ceylon?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: This is a hypothetical question.

Mr. HAMIDUL HUQ CHOWDHURY: Have the Government decided to send any?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: None, as yet.

Mr. NARESH NATH MOOKERJEE: Is it a fact that punishments for profiteering are no longer resorted to? The whole procedure has been relaxed.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of that at all.

Punishment for profiteering.

25. Mr. BIRENDRA KISHORE ROY CHOWDHURY: Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state—

(*a*) if it is not a fact that the sentences meted out to merchants for profiteering are too light and not deterrent at all?

(*b*) what is the highest punishment which can be meted out to a merchant for profiteering? and

(*c*) if it is in the contemplation of the Government to add to this punishment and change its form in respect of certain classes of profiteering?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) In some cases this has been a fact.

(*b*) Three years' imprisonment and fine.

(*c*) No, but an improved procedure may be adopted.

Site for Vagrants' Home.

26. Khan Bahadur ATAUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state why Mahalandi in the district of Murshidabad is selected as the site for Vagrants' Home.

(*b*) Was it not possible to acquire some non-arable land in this district or some other district?

(*c*) Is the Hon'ble Minister aware that several cultivators are made landless by this acquisition?

(*d*) Is the Hon'ble Minister aware that the entire area is a high land and that the low lands in this part of the district are inundated almost every year?

(*e*) Is the Hon'ble Minister aware that the villages around are very badly infected with malaria?

(*f*) What was the number of malaria cases in the charitable dispensary at Gokarna within two miles from the proposed site for six years from 1935?

(*g*) Is the Hon'ble Minister aware that uncultivated lands are available near Mollapur and Bolepur in the district of Birbhum?

(*h*) Is the Hon'ble Minister aware that the climate of these places is much more salubrious than that of the site selected?

(*i*) Will the Hon'ble Minister be pleased to state the number of *raiyats* affected by this acquisition? How many of them are Hindus and how many are Muslims?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*), (*b*), (*g*) and (*h*) Mahalandi was chosen because it fills the requirements of such a site in almost every respect. Non-arable lands are certainly available elsewhere, but experience has shown that at such places it is not possible to ensure at one site a supply of water which is sufficient for all the needs of 5,000 persons. Bolepur has a salubrious climate but very little good water, and there is no reason to suppose that the general climate of Mahalandi is bad.

(*c*) I have no exact knowledge, but adequate compensation will be paid to every one whose land is acquired.

(*d*) Almost all the land acquired is high land and much of it is too high for regular cultivation. Surrounding low lands are flooded this year but I have no knowledge how frequently this inundation recurs.

(*e*) I have no information.

(*f*) The figures are as follows:—

1935	...	...	2,377
1936	...	...	1,412
1937	...	...	3,722
1938	...	...	10,105
1939	...	...	5,493
1940	...	...	3,912

(*i*) The *raiyats* affected are 197 Muslims and 11 Hindus.

Suspension of train services.

29. Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*a*) if the train services on the Nalhati-Azimganj Branch and Azimganj-Barharwa Branch lines of the East Indian Railway have been discontinued;

(*b*) if so, from what date;

(*c*) whether there was any disturbance on these lines; and

(*d*) whether there is any other facility for transport on those sections?

The Hon'ble Mr. M. SHAMSUDDIN AHMED: I am informed that train services on these lines were temporarily suspended. A daylight service has since been restored.

Excise shops.

30. Khan Bahadur ATAUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state how many excise shops fell vacant in Calcutta in the year 1941-42?

(*b*) How many of them are given to Muslims?

(*c*) What is the total number of shops in Calcutta, and how many are leased to Muslims?

(*d*) How many shops are held by the relatives of high officials of the Excise Department?

The Hon'ble Mr. UPENDRA NATH BARMAN: (*a*) Three.

(*b*) Two.

(*c*) Total number of shops in Calcutta—275.
Number of shops held by Muslims—35.

(*d*) Six.

Moslem Education Advisory Committee.

31. Mr. NUR AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state if any resolution regarding the various recommendations of the Moslem Education Advisory Committee, better known as Mumin Committee, as contained in their report published in 1934, has been published by the Government of Bengal? If not why not?

(*b*) What measures have been taken by the Government to give effect at least to the important recommendations of the said Committee?

(*c*) What special measures have been adopted by Government to help and encourage Moslem education in Bengal from 1937 to February, 1942?

(*d*) Is it a fact that percentage of scholars in professional and technical institutions is decreasing every year?

(*e*) If so, have any steps been taken by Government of Bengal to check the same? If so, what are they? If not, why not?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur M. Abdul Karim): (*a*) No resolution has been published.

(*b*) Some of the recommendations of the Committee have been put into effect.

(*c*) The honourable member is referred to the reply given on the 19th August, 1940, to question No. 73 put by him on the floor of the House.

The provision for grants-in-aid to madrasahs has since been raised from Rs.4,18,838 to Rs.4,68,838.

Six scholarships of Rs.25 each per month have since been created for award with effect from the year 1941-42 to Muslim students reading for the B.Sc. degree in Honours in Botany, Physiology and Geology.

(*d*) No.

(*e*) The question does not arise.

Mr. NUR AHMED: Arising out of answer to (*a*), will the Hon'ble Minister be pleased to state if any resolution will be published? If so, when?

The Hon'ble Khan Bahadur M. ABDUL KARIM: The whole matter is under the consideration of Government. It is likely that the resolution would be published before the next Budget session.

Mr. HAMIDUL HUQ CHOWDHURY: Is the Hon'ble Minister aware that although the Government of Bengal made a provision for eight scholarships for the Mining Institute of Dhanbad, no Muslims have up to now been taken by the Mining Institute?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I am not aware of that.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to enquire into the matter?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I will.

Mr. HAMIDUL HUQ CHOWDHURY: If there is no Muslim student, are the scholarships which have so long been granted, at least to the extent of 50 per cent. discontinued and diverted elsewhere?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I will consider the matter.

Agricultural loan.

32. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) whether he is aware that during the last rains agricultural loans were given to landless labourers for the purpose of subsistence, as no test relief work could be started in the Bhati area of the Kishoreganj subdivision of the Mymensingh district during last rainy season;

(*b*) whether he is aware that the number of landless labourers is very large in the Bhati area, particularly in the Ashtagram thana, and in consequence the average earning of a labourer including periods of unemployment, is not more than Rs.6 per month and is possibly Rs.5 or so;

(*c*) whether he is aware that the average number of members in a family is about five;

(*d*) whether the Government propose to recover the loan given to this class of people for subsistence purpose in lieu of work;

(*e*) whether in case the Government fail to recover such loan from individuals, they would take their stand on the joint liability of other people taking loan with the landless labourers in the same batch;

(*f*) whether Government forced people of some means to take in some landless labourers in their batch, failing which they were told no loan could be granted to them;

(*g*) whether the Local Officers had to give loan to the landless labourers for keeping down the number of people receiving gratuitous relief;

(*h*) whether the Divisional Commissioner after visiting the Bhati area had not instructed that gratuitous relief in the shape of paddy should be given during rains to all poor people who had no food and who had not more than ·07 acre of land in possession;

(*i*) whether it was not directly against the instructions of the Commissioner to give loan to landless labourers for subsistence, instead of giving them gratuitous relief; and

(*j*) whether the Government propose to write off the loans of landless labourers?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) Agricultural loans were given to landless labourers where other people with sufficient security came forward to join with them.

(*b*) No statistics are available.

(*c*) to (*e*) Yes.

(*f*) No.

(*g*) Loan was given as it was thought that they would be in a position to pay back the loan in more normal times of employment and distribution of gratuitous relief to able-bodied labourers might have a demoralising effect.

(*h*) No such instruction was issued.

(*i*) and (*j*) Do not arise.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With reference to (*b*), are we to take it that the Hon'ble Minister after enquiry from the mofussil could not find out the average earnings of labourers in those particular areas?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have given the answer. I have nothing further to add.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: May I take it with reference to (*b*) that the Hon'ble Minister could not find out even in the mofussil what was the average earning of a labourer in that particular area?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Well, Sir, I have given the answer: and I have nothing further to add.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister kindly say if he enquired of the Divisional Commissioner who is now the Chief Secretary to the Government of Bengal, as to whether such instructions were issued with reference to (*h*)?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: In this case, too, the answer has been given in (*h*)?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: But who supplied the materials for the answer?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: The District Officer: I have got the file with me here.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will he be surprised to learn that I saw the Chief Secretary today and he admitted this?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Well, I shall not be surprised, because the officer concerned here was the Additional Collector.

Cases pending before Debt Settlement Boards.

33. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*a*) how many cases were pending up to February, 1942, before various Debt Settlement Boards in Bengal in different districts respectively;

(*b*) what is the total number of cases filed in all the Debt Settlement Boards of Bengal since the time of the inauguration of these Boards till February, 1942, and for what amount;

(*c*) how many of these cases have been settled up to February, 1942, and for what amount; and

(*d*) what steps have been taken by the Government of Bengal for speedy disposal of the cases pending before the Debt Settlement Boards of Bengal?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Hashem Ali Khan): As figures up to February, 1942, are not readily available, the figures given in answer to this question relate to the end of March, 1942.

(*a*) A statement is laid on the Table.

(*b*) The total number of cases filed before the Boards is 2,977,640.

The amount of time and energy that will be needed to find out the amount for which the cases were filed will not be commensurate with the result.

(*c*) Cases settled up to March, 1942—902,977.

Amount for which the cases have been settled—Rs.12,54,83,649.

(*d*) A statement is laid on the Table.

Statement referred to in reply to clause (a) of question No. 33.

Name of district.	Cases pending on the 31st March, 1942.
(1) Rajshahi	16,548
(2) Rangpur	39,284
(3) Bogra	12,120
(4) Pabna	28,520
(5) Dinajpur	13,555
(6) Malda	4,520
(7) Jalpaiguri	1,339
(8) Dacca	81,821
(9) Mymensingh	143,940
(10) Faridpur	47,157
(11) Bakarganj	66,617
(12) Chittagong	26,653
(13) Noakhali	66,111
(14) Tippera	108,122
(15) Hooghly	4,605
(16) Howrah	3,626
(17) Burdwan	5,873
(18) Midnapore	17,112
(19) Bankura	6,839
(20) Birbhum	10,409
(21) Nadia	24,832
(22) Murshidabad	17,972
(23) Khulna	29,975
(24) Jessore	25,759
(25) 24-Parganas	21,838
Total ...	825,147

Statement referred to in reply to clause (d) of question No. 33.

Measures taken by Government for quick disposal of Debt Settlement Board cases—

(1) Simplification of procedure as brought about by the Bengal Agricultural Debtors Amendment Act of 1940 (Bengal Act VIII of 1940).

(2) Constant supervision.

(3) Increase of Boards to tackle with congestion of cases.

(4) Removal of indifferent members and dissolution of bad Boards.

(5) Transfer of cases from congested Boards to others.

Mr. HAMIDUL HUQ CHOWDHURY: With reference to (*c*) and (*a*) do they exhaust all the cases filed?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: No, no; they show the number of cases settled.

Mr. HAMIDUL HUQ CHOWDHURY: Well, Sir, (*c*) shows the number of cases settled, and (*a*) the number of cases pending but not settled. Do these by themselves exhaust all the cases filed?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Yes.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, if the Hon'ble Minister would please do a little arithmetic, he would find that that is not so. There are half as much left. Adding the number of cases pending and the number of cases settled, viz., 9 lakhs and 8 lakhs, they come to 17 lakhs. But there still remains a very big mouthful.

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I don't see how it comes about in that way.

Mr. HAMIDUL HUQ CHOWDHURY: Well, Sir, it is thus: (*a*) shows the pending cases, and (*c*) shows the number of cases settled, and their number is 9 lakhs, but that does not exhaust the whole number. For the total number of cases filed is more than 29 lakhs; so, what about the rest? How to account for the rest? What has become of them?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I am afraid, Sir, there must have been a printing mistake.

Mr. HAMIDUL HUQ CHOWDHURY: There must have been a few cases rejected, dismissed or still pending, or struck off but their number cannot surely be as large as the difference between (*a*) and (*c*) and (*b*).

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I am afraid the figures are not correct; there must have been a printing mistake.

Rai Bahadur KESHAB CHANDRA BANERJEE: Will the Hon'ble Minister please state whether it is a fact that there is a standing order issued by the Government of Bengal to the District Officers to expedite these cases as far as possible but that these instructions are not being carried out to the full?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Yes, there is such an instruction; we are looking into the non-observance of the instruction and I can say from my experience of the last three months that these cases are being expedited as a matter of fact and disposed of quickly.

Requirement of quinine.

34. Khan Bahadur ATAUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state what is the total quantity of quinine required in the Province of Bengal?

(*b*) How much of this quantity is produced in this Province?

(*c*) Have the Government taken any steps to produce more quinine in the Province? If so, what are they? If not, why not?

(*d*) Is it a fact that licence to produce quinine was denied to applicants? If so, for what reasons?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Upendra Nath Barman): (*a*) The normal consumption in Bengal based on the average of the three years ending March, 1942, is estimated to be 90,000 lbs.

(*b*) The average quantity of quinine produced within the Province during the same period was 51,000 lbs.

(*c*) Yes. New plantations have been started and more intensive cultivation has been put into operation in the existing plantations.

(*d*) No licence has ever been necessary for the production of quinine.

Khan Bahadur ATAUR RAHMAN: Will the Hon'ble Minister be pleased to state when we can expect more quinine out of the new plantation?

The Hon'ble Mr. UPENDRA NATH BARMAN: Not before 1944.

Khan Bahadur ATAUR RAHMAN: The normal consumption of quinine in Bengal is 90,000 lbs. and the production is 51,000 lbs: what arrangement is Government making to make up the deficit?

The Hon'ble Mr. UPENDRA NATH BARMAN: The Government of India had a conference on this subject with all the provincial representatives, at which it was decided that the stock that is in the hands of the Central Government, added to it the yield in Madras and Bengal, will be rationed for five years and that each province will have to go short of supply to a certain extent.

Khan Bahadur ATAUR RAHMAN: In view of almost 50 per cent. deficit, why no such licence is issued for the cultivation of cinchona plantation?

The Hon'ble Mr. UPENDRA NATH BARMAN: No such licence is necessary: there is no bar to the cultivation of cinchona.

Sir BIJOY PRASAD SINGH ROY: Will the Hon'ble Minister be pleased to state in how many years' time the new plantation will be ready for the extraction of alkaline?

The Hon'ble Mr. UPENDRA NATH BARMAN: As I have already said, not before 1944. I may mention that in the normal course cinchona plant matures after eight years; but during this emergency period we propose to extract from it after two years.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Will the Hon'ble Minister be pleased to state if he contemplates distributing pamphlets advising the desirability of the cultivation of cinchona in view of the present crisis?

The Hon'ble Mr. UPENDRA NATH BARMAN: Sir, this plant cannot be grown on the plains and even on the hills there is a special climate where alone it can be grown: it cannot be grown anywhere and everywhere. So there is no need for issue of such pamphlets.

Mr. HAMIDUL HUQ CHOWDHURY: Will the Hon'ble Minister be pleased to state if there is any possibility by which Government will be able to make up the deficit that is already existing—has the Hon'ble Minster got any scheme?

The Hon'ble Mr. UPENDRA NATH BARMAN: The only course that the Government of India have suggested is to indent Atabrin from America; but as regards growing more quinine in India, Madras and Bengal are the only two places and we are trying our best.

Question with Answer which remained outstanding from the Third Session, 1941.

Public Accounts Committee.

71. Mr. LALIT CHANDRA DAS: (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether the Government is aware that a Public Accounts Committee of the Bengal Legislative Council was duly constituted long ago for the current year?

(*b*) Do the Government intend to call this Committe to go through and examine and report on the provincial finance? If so, when? If not, will the Government be pleased to state the reasons thereof?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Dr. Syamaprasad Mookerjee): The matter is under discussion with the Hon'ble the President.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state why the question and the answer which are ten months old were not taken up so long?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: It is 10 days old.

Mr. LALIT CHANDRA DAS: I may just draw the attention of the Hon'ble Minister to the top of the paper where it is stated "questions with answers remained unanswered during the Third Session, 1941, and are to be answered on the 29th September, 1942." So does it not show that it is 10 months old?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: The answer was prepared 10 days ago.

Sir, I will just explain the position. I dealt with this matter when presenting the Appropriation Report last week. Government decided that the whole question should be considered at a conference which would be attended by the Hon'ble Speaker, Hon'ble President, Hon'ble Chief Minister and myself. There is no Speaker in the Legislative Assembly just now and it was pointed out to the Hon'ble President by the Hon'ble Chief Minister that it would be desirable to wait until the Speaker was elected. The Hon'ble President has replied that he would agree to wait for some time until the Speaker was appointed.

Messages received from the Assembly.

The SECRETARY: Sir, the following messages have been received from the Bengal Legislative Assembly:—

"(1) The Bengal Legislative Assembly at its meeting held on September 28, 1942, agreed to the Workmen's Compensation (Bengal Amendment) Bill, 1941, without any amendments.

S. J. HASHEMY,

Deputy Speaker,

Bengal Legislative Assembly.

(2) The Bengal (Rural) Primary Education (Amendment) Bill, 1942, as passed by the Bengal Legislative Assembly at its meeting held on September 28, 1942, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is requested.

S. J. HASHEMY,

Deputy Speaker,

Bengal Legislative Assembly."

Sir, I herewith lay on the Table the Bengal (Rural) Primary Education (Amendment) Bill, 1942, as passed by the Bengal Legislative Assembly at its meeting held on the 28th September, 1942.

Mr. SACHINDRA NARAYAN SANYAL: On a point of information, Sir. I gave notices of some short-notice questions about the 25th instant. May I know when I can expect the answers?

Mr. DEPUTY PRESIDENT: Order, order. I have got to inform the House that the short-notice questions have not been accepted by the Government.

Mr. SACHINDRA NARAYAN SANYAL: Sir, as regards my question, I have ascertained from the Hon'ble the Home Minister that it has been accepted.

Mr. DEPUTY PRESIDENT: Order, order. The Hon'ble Khan Bahadur M. Abdul Karim.

The Bengal (Rural) Primary Education (Amendment) Bill, 1942.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, as passed by the Assembly, be taken into consideration.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I rise on a point of order. I oppose this motion. My objection is that the Bill cannot be taken into consideration today. I submit that the Bill must first of all be laid on the Table; then on the next day it shall be made available to the members. Now, the Secretary has just laid the Bill on the Table. Therefore, it is not possible for us to get a copy of the Bill today. We shall get it tomorrow. Rule 77 says that we are entitled to ten days' notice before the motion for consideration of the Bill is taken up. I submit that the Government has made out no case for curtailing this time-limit. This Bill is a highly controversial one involving questions of principle——

Mr. DEPUTY PRESIDENT: Order, order. Apart from the objection which has been raised by Mr. Hamidul Huq Chowdhury, I notice that there is an omission on the part of the Hon'ble Minister in connection with the motion just now moved by him. He ought to have given notice before he moved for consideration of the Bill. Therefore, there is a lacuna in that respect.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, it is not necessary that I should send any previous notice. I move this on the floor of the House and that itself is notice.

Mr. HAMIDUL HUQ CHOWDHURY: What about the absentee members?

Mr. DEPUTY PRESIDENT: I think the Hon'ble Minister is labouring under a misconception. Before he moves for consideration, he ought to have given notice and owing to this defect I have no other alternative but to declare the proceedings null and void. We shall have to start afresh. If the Hon'ble Minister wants to proceed, he should give formal notice.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to give notice that I intend to move at the current session of the Legislative Council that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, as passed by the Bengal Legislative Assembly, be taken into consideration by the Council and that the Bill, as settled in the Council, be passed.

I am further to request that I may kindly be permitted to move the motion at short notice at the meeting of the Council on the 30th September, 1942.

Mr. HAMIDUL HUQ CHOWDHURY: I object to that, because we are entitled to 10 days' notice under rule 77, according to which the consideration will come on the 11th day, i.e., 10 clear days' notice must be given by the Minister.

The Hon'ble Khan Bahadur M. ABDUL KARIM: I would ask the Chair to relax the rule in consideration of the fact that this is a very important and urgent Bill. The session will conclude probably tomorrow or day after tomorrow, and this Bill has been before the country for more than a year. Some of the provisions of the Bill are so imperative that we cannot lose any time. For instance, the Local Boards in some of the districts have been abolished, and with that abolition the Chairmen of Local Boards have ceased to be members of the District School Boards. Those seats are vacant and no election can be held unless this Bill is passed into law, as provision has been made in it that in place of the Chairmen of those Local Boards some other members should be elected. It is a matter of very great public importance and, therefore, I pray that short notice may be accepted on this particular matter.

Khan Bahadur NAZIRUDDIN AHMAD: This is an important Bill. This is one of the simplest in character. Whatever my honourable and learned friend Mr. Hamidul Huq Chowdhury may say about this Bill being of a highly controversial nature, I may inform the House that that state of affairs is a past history. It was of a controversial character while under consideration in another place, but the controversy has been dissolved by mutual agreement by the different party leaders——

Sir BIJOY PRASAD SINGH ROY: Where?

Khan Baradur NAZIRUDDIN AHMAD: In another place.

Mr. DEPUTY PRESIDENT: You cannot refer to what took place in another place.

Khan Bahadur NAZIRUDDIN AHMAD: I submit if there was any difficulty, that difficulty has been dissolved. There is another aspect of the case, and that is to enable the Government to start introducing primary education over wide areas. Primary education is so very important that on technical objections its spread should not be delayed and the Chair has certainly ample discretion on a matter like this to curtail the period of notice and allow the Hon'ble Minister to move his motion. The rule referred to by my honourable friend is rule 77(*1*) which says "or with the consent of the President at shorter notice, may move that the Bill be taken into consideration". In these circumstances, the rule leaves ample discretion in the hands of the Chair. And the situation being what it is today, I submit that the progress of education in connection with a simple matter like this should not be attempted to be obstructed on the ground of a mere technical irregularity. My honourable friend Mr. Hamidul Huq Chowdhury is a very shrewd lawyer, but in a matter like this a mere technicality should not be allowed to stand in the way of taking the Bill into consideration. Therefore, Sir, I submit that your discretion should be exercised in favour of a quick consideration of the Bill.

Sir *BIJOY PRASAD SINGH ROY: Mr. Deputy President, Sir, *apropos* of what has fallen from Khan Bahadur Naziruddin Ahmad, may I submit that it is not merely a technical objection. The Bill involves certain important changes in principle and I think the House should be given sufficient opportunity to consider those questions of principle and should not be hustled into a decision. So, though under the rule you have sufficient power to relax the provision for ten days' notice, I request you most respectfully not to exercise that discretion on the present occasion.

Mr. HAMIDUL HUQ CHOWDHURY: My friend Khan Bahadur Naziruddin Ahmad has not realised that a certain courtesy is due to this House. Sir, this session has been ostensibly called for no other business except to pass this measure. Therefore, if even for this purpose Government refuse to grant the proper time and if you, Mr. Deputy President, exercise your prerogative and cut down the minimum requirement that the law on this point imposes, then the insistence of the Hon'ble the Leader of the House to take the Bill into consideration today or the day after might well be characterised as "hustling". Since it is for this Bill alone that the present session has been summoned, I think they ought to give us sufficient time to consider and study the Bill. Under rule 80 of our rules, the Chair cannot exercise any discretion. It says..... the provisions of these rules regarding consideration of amendments to Bill (save that the period of notice of amendment shall be seven days)..... shall apply. So, for the purpose of expediting the business, the Chair cannot minimise or reduce the period which is fixed, namely, 7 days, for giving notice of amendments. We are entitled to give notice of amendments and we are going to give notices of amendments. For that we are certainly entitled to 7 days' time under rule 80 and the Chair has no option to curtail

that period. Therefore, we cannot be deprived of sufficient time for understanding and studying the Bill: First of all, there should be a motion for discussion of the general aspects of the Bill and then, secondly, there will have to be given 7 days' time for putting in amendments to the clauses of the Bill. So, the Bill cannot be taken up clause by clause before the eighth day, from today or from tomorrow even if the consideration motion is disposed of immediately. In any case, it cannot come up before the House tomorrow. Therefore, Sir, as stated by Sir Bijoy Prasad Singh Roy, I hope you will not exercise your prerogative, which you undoubtedly possess and can exercise, in such a way as to cause any hardship to the Opposition.

Mr. DEPUTY PRESIDENT: Order, order. Mr. Hamidul Huq Chowdhury has raised an objection against the short-notice motion of the Hon'ble the Leader of the House under rule 77(*i*) of the Procedure Rules of this House. I fully appreciate the arguments advanced by the Hon'ble the Leader of the House in favour of admitting his short-notice motion. At the same time, I may say that Mr. Hamidul Huq Chowdhury need not be anxious about having sufficient time for giving notices of amendments to the clauses of the Bill. The Bill is not going to be taken into consideration today. But in consideration of the special circumstances of the case, I am inclined to be a bit lenient in the matter of admitting the short-notice motion of the Hon'ble Education Minister. I fix 10 a.m. tomorrow as the time for giving notice of amendments to the motion for taking the Bill into consideration when only the general principles of the Bill will be discussed.

Mr. HAMIDUL HUQ CHOWDHURY: Under rule 80, the Chair has got no power to curtail the time prescribed therein for giving notices of amendments to the clauses of the Bill.

Mr. DEPUTY PRESIDENT: As regards the provision of rule 80, I shall consider it tomorrow. The Bill is not going to be taken into consideration today, it will be taken up tomorrow. I have only accepted the short-notice of the Hon'ble Leader of the House for taking the Bill into consideration. The Bill will be taken into consideration tomorrow and if you have any amendments to move with regard to the consideration motion, they must reach the office by 10 a.m. tomorrow.

Mr. NARESH NATH MOOKERJEE: Sir, when are you proposing to take up the second reading of the Bill?

Mr. DEPUTY PRESIDENT: That will be decided tomorrow.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Sir, may I have your leave to make a short statement on this question in addition to what the Leader of the House has said?

Mr. DEPUTY PRESIDENT: Yes.

Mr. MESBAHUDDIN AHMED: On a point of order, Sir. If we take the Bill into consideration tomorrow——

Mr. DEPUTY PRESIDENT: Order, order. You go on Dr. Mookerjee.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: This Bill came before the Assembly last week and the Opposition in the Lower House had given notice of 80 amendments. As the Bill was being discussed, certain points were raised and the House adjourned for a short while in order to enable the Government and the Opposition to discuss the matter between themselves and come to an agreement, if possible. As a result of this the Government and Opposition came to an agreement and the Bill was passed into law yesterday on the basis of that agreement——

Mr. HAMIDUL HUQ CHOWDHURY: Not passed into law yet.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Subject, of course, to your approval.

What I am suggesting is this: the Opposition here should consider this aspect of the position in deciding what amendments it should move. If the Opposition in this House thinks that it is not bound by the agreement between the Government and the Opposition in the Lower House, it is up to it to give notice of as many amendments as it wants. But it should then be open to members of Government Party to give notice of amendments. By the action of the Opposition here then, the agreement already reached elsewhere may be nullified.

Mr. HAMIDUL HUQ CHOWDHURY: What Dr. Mookerjee says about the agreement is correct. There was no doubt an agreement in the Lower House regarding this Bill. But that is not binding on us. We are not aware of the terms on which this agreement was arrived at and we cannot agree to this without knowing on what basis this agreement was made. So, before we have seen how far it affects the interest of the masses, we are not bound to agree to the point of view of the different party leaders in the Lower House. We have not yet been taken into confidence by them. Moreover, settlement in the Lower House has got nothing to do with the Upper House.

Mr. DEPUTY PRESIDENT: Order, order. Agreement or settlement, whatever it may be, in another place will not be binding here.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, if the Opposition foregoes anything that has happened in another place, it means that they want to overthrow the whole thing that was decided as a result of an agreement between the Opposition and the Government.

Mr. HAMIDUL HUQ CHOWDHURY: In any case, Sir, we must have the time to which we are entitled under the rules.

Discussion on Chief Minister's Statement reviewing present situation in this province.

Mr. DEPUTY PRESIDENT: Order, order. The House will now take up further discussion of the motions relating to the general statement reviewing the present situation made by the Hon'ble Chief Minister in the Council on the 17th September, 1942.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, as I was submitting the other day, the honourable mover of the motion built up his entire case upon one fact that export should be stopped. But I was trying to point out that stopping of export will react adversely against us as that would result in stopping import of salt, sugar, wheat and other things. My honourable friend Mr. Hamidul Huq Chowdhury, the wit in the House, suggested that sugar is not a very essential thing and that salt is also not an essential commodity. I beg to submit that he should remember that the other day Mr. Nur Ahmed moved a resolution in the House urging that there should be arrangement for training of the people by the Government in the use of balanced food and about nutritive value of proper diet. Sugar and salt should be considered by him to be very important. Now one other point was mentioned by my honourable friend Mr. Abul Quasem. He was of the opinion that the speech of the Hon'ble the Chief Minister did not deal with troubles arising in the villages during air raids and other things. He was also of the opinion that preventive measures were confined only to towns. It should be remembered in this connection that there are dangerous areas and there are some towns which are peculiarly falling within the danger zones and naturally A.R.P. precautions have been concentrated mostly in those towns. For the villages there are the Bengal Home Guards. My honourable friend has entirely missed that. In these circumstances, the Opposition has not been able to make out a very good case. There is one weakness of a very important character in the motion which is based entirely on non-mention of certain facts in the speech of the Hon'ble the Chief Minister. It has been successfully shown by my honourable friend Mr. Lalit Chandra Das that that is also not a fact. Things have been mentioned with commendable brevity and economy of words. So with regard to this there should be no grievance. At least the Leader of the Opposition should not have rested his case merely on the fact that reference has not been made to certain things.

Sir BIJOY PRASAD SINGH ROY: Sir, are the Hon'ble Ministers entitled to hold a standing conference inside the Chamber while the House is in session?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: We are only following the examples of the ex-Leader of the House.

The Hon'ble Mr. SANTOSH KUMAR BASU: You are invited to come and join us.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I would like to raise a question of procedure in this House.

Sir, I beg to draw your kind attention to a matter of procedure with regard to this matter. This matter,—I do not know whether this is a resolution or motion—it is of a composite character. I beg to submit that it is no resolution. The only way resolution could have been moved will be found in rule 96. But it has been agreed somehow or other that this is not a resolution. The only other rule which may possibly come into operation is rule 37. With regard to both these rules, there are inherent difficulties. Rule 37 relates to motions. I beg to submit that the item under consideration is not a motion for the simple reason that it is worded like a resolution, though it is conceded on all hands that it is not a resolution. It could come only as a motion, and I submit it is not a motion. It is an expression of opinion of the House. A motion consists in asking the Ministers to do something.

Mr. DEPUTY PRESIDENT: Would you please state what you are driving at?

Khan Bahadur NAZIRUDDIN AHMAD: There can be no voting on a matter like this. If precedents are wanted, I will quote two. Recently, in the Central Assembly a matter like this was discussed without any vote; and some time ago when Sir Bijoy Prasad moved that the Floud Commission Report be taken into consideration, we had merely talked it over and there was no voting on the point. My point is that there can be no voting on the present occasion too. The Chief Minister's statement has been before the public and before the House and we may raise certain points and discuss the matter. This should not be the subject-matter of any vote. My honourable friend Mr. Hamidul Huq Chowdhury probably with his characteristic shrewdness anticipated it and somehow or other in an unguarded moment says this resolution is an amendment to the statement made by the Chief Minister. Although it is a shrewd statement, on a careful consideration he will himself admit that the Chief Minister's statement cannot be amended at all. It is not like the King's speech which could be amended. You cannot take away anything from the statement made by the Chief Minister; you cannot add to it. So this is not an amendment to the Chief Minister's statement. Further, the Hon'ble Chief Minister has not moved that his statement be taken into consideration. The statement has been made before the House and something which is not a resolution, which is not a motion, is before the House and we are talking on it. I submit, Sir, we cannot vote.

Mr. HAMIDUL HUQ CHOWDHURY: With regard to this point of voting, I am reminded of a story. One man was seen drowning on the way side. People rushed in to save him and asked him to give his hand. But he would not stretch out his hand to be saved. Another man from back rushed in, saying take this hand, and then he was seen to put his hand and thus eventually dragged out of water. When the latter person was asked

how he could induce the drowning man to stretch out his hand, they were informed that this man was well known not to have given anything in his life. When he was asked to give, naturally he did not give, but when he was asked to take, he took. Like my friend Khan Bahadur Naziruddin Ahmad we cannot take anything. But we can express our opinion upon what the Chief Minister has said. And this has been sought to be done through our motions.

Mr. DEPUTY PRESIDENT: Do you want a ruling?

Khan Bahadur NAZIRUDDIN AHMAD: It is not a resolution. It is not a motion as will be clear on a mere perusal. So, there can be no voting.

Mr. DEPUTY PRESIDENT: Order, order. The honourable member from Burdwan is of opinion that there cannot be any voting on the Special Motion, of which notice has been given. But at the very outset, I may tell him that if he looks at the front page of the Chief Minister's printed speech he will find that he has invited remarks and comments of the honourable members of this House upon that Statement. Then there is the Order of the Hon'ble President that this motion will be treated as a Special Motion and would be governed by the procedure as laid down in section 96 of our rules. In view of this fact and in further consideration of the fact that the sense of the House cannot be ascertained unless a vote is taken on the matter, I rule that, if necessary, voting will be allowed. In this connection, it may also be pointed out that the Hon'ble the Chief Minister gave his consent to the discussion of his statement.

Sir BIJOY PRASAD SINGH ROY: Mr. Deputy President, Sir, at the very outset may I ask where is the Hon'ble the Chief Minister, whose motion we are discussing and who I believe is going to reply? Can the House not expect that he should be present here now?

The Hon'ble Mr. SANTOSH KUMAR BASU: If the Chief Minister had known that Sir Bijoy Prasad would speak just now, then no doubt he would have arranged to be here.

Sir BIJOY PRASAD SINGH ROY: Well, Sir, I am not such an important person that I should have to send notice to the Chief Minister to be present when I speak in the House. But I consider it discourteous to the House. Hon'ble Mr. Santosh Kumar Basu ought to realise that if the Chief Minister moves a motion and invites criticisms on it, it is his duty to be present when those criticisms are being offered: it is no use trying to be flippant.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir Bijoy Prasad is in high dudgeon today!

Sir BIJOY PRASAD SINGH ROY: At the outset, I may assure the House and the Hon'ble the Chief Minister and his colleagues on the Treasury Benches that it is far from my intention to intervene in this debate in a spirit of carping criticism. My sole object is to draw the attention of Government to certain specific points regarding the present economic and political situation which have been referred to in the Chief Minister's statement.

Regarding the resolution under discussion I crave indulgence not to confine myself to the letter of the motion, though I fully agree with what was said by the honourable mover about the seriousness of the position brought about by the abnormally high prices of the necessaries of life. I realise the difficulties of Government in tackling the problem, specially as Bengal is not self-sufficient regarding the supply of several articles such as *dal*, mustard oil seed, wheat, sugar and salt. The difficulties have been greatly enhanced due to the absence of transport facilities, aggravated recently on account of the disturbances in certain parts of Bihar and United Provinces. All that I want to impress on Government is that courageous tackling of the economic situation is desirable on humanitarian, economic as well as on political grounds.

I am one of those who did not hesitate to disapprove of the mass movement that was fore-shadowed in the resolution of the All-India Congress Committee. I sincerely deplore the outburst of violence—loot, arson, incendiarism, sabotaging of communications and murder of dutiful public servants—that have followed the acceptance of the resolution of the Congress Committee and the arrest of the Congress Leaders as well as the punitive measures that Government had to resort to for checking these acts of violence and disorder. It is most unfortunate that when all our energies and resources should have been directed and utilised for the defence of our Motherland, they have to be dissipated in quelling a serious internal disorder. Sir, no Government can shirk the responsibility of controlling this unfortunate situation or avoid taking measures against those who are responsible for the disturbances, only on the ground that the duty is unpleasant. The Hon'ble Chief Minister in his statement has said that he and some of his colleagues deprecated the initiation of the mass movement and assured the public that they were prepared to take steps for checking the same and for maintenance of the peace and tranquility. This statement of the Hon'ble Chief Minister, however, I regret to point out, is out of tune with the resolution that was adopted by his party on the 22nd of August last, the Chief Minister presiding over that party meeting. There was not a word of condemnation of the movement in that resolution. This statement of the Chief Minister is again not in consonance with the observations that were reported to have been made by his colleague, the Hon'ble the Finance Minister at a Press Conference in New Delhi at which he said that the Council of Ministers in Bengal was not given any opportunity to express its views on the All-India policy initiated by the Government of India regarding the disorder, and the policy to which the Bengal Government had to conform. Sir, these different and somewhat divergent statements

require clarification and reconciliation with one another. The statement of Hon'ble Dr. Mookerjee has created an impression that the Government of Bengal do not subscribe to the all-India policy regarding maintenance of law and order but are simply carrying out the policy initiated and dictated by the Government of India. I assume that this impression is a mistaken one, and feel that the Ministry should take the earliest opportunity to remove this impression which is definitely harmful from the administrative point of view, specially in the present circumstances of the country. Moreover, a great constitutional issue arises out of the statement made by Hon'ble the Finance Minister in New Delhi. Law and Order is a provincial subject and if there is disorder in the country, it is the duty of the Provincial Government to check it. Under section 126A of the amended Government of India Act, the Central Government can give directions to the Provincial Government in certain matters when the Governor-General has proclaimed an emergency on being satisfied that there is imminent danger of war or internal disturbance in the country. The Governor-General did actually proclaim this emergency under section 102 of the Government of India Act on the very day that War was declared in 1939. But so far they have given no such directions, so that whatever actions have been taken in this province in checking the disturbances have been taken by the Government of Bengal. Unless and until the Central Government give directions under section 126A to the province, the question of the Provincial Government carrying out the policy of the Government of India regarding matters which fall within the field of provincial responsibility cannot arise.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, on a point of order. Is the honourable member discussing item No. 13 or any other item?

Sir BIJOY PRASAD SINGH ROY: Sir, I am just trying to speak of the situation generally because the Chief Minister's statement raises all these points. That statement has a definite bearing on the political situation. Of course, I know, Sir, these arguments are very uncomfortable to my honourable friends.

The Hon'ble Mr. SANTOSH KUMAR BASU: This is wholly irrelevant.

Mr. DEPUTY PRESIDENT: Sir Bijoy, what are you driving at?

Khan Bahadur NAZIRUDDIN AHMAD: On a point of information, Sir——

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, is the speech relevant?

Sir BIJOY PRASAD SINGH ROY: Sir, I am not going to yield to any one. I am on my legs and let not the Hon'ble Minister disturb me.

Khan Bahadur NAZIRUDDIN AHMAD: On a point of order, Sir. The honourable member may not yield but he is dealing with matters which are covered by other items and that is the reason why we are objecting to his speech. I want a ruling from you, Sir, on this point.

Sir BIJOY PRASAD SINGH ROY: Sir, vindication of the autonomy of the province, so far as it is enjoyed under the Government of India Act, 1935, should be the first and foremost concern of the Council of Ministers. Constitutionally, it will be wrong for the Ministers to disown responsibility for their own actions or to allow any impression to gain ground that they are merely carrying out the policy that has been laid down by the Central Government. Sir, I am for giving full co-operation to the Government of India in the present circumstances. I fully realise that in a state of emergency and in a situation as the present one there must be a uniform policy as far as possible. But under no circumstances I can agree to the voluntary surrender of responsibility by the Provincial Ministers or countenance the impression that has been allowed to grow that the Provincial Government are not free to exercise their own authority but have been following the directions of the Central Government. This is constitutionally unsound and even dangerous and I hope the House will deprecate the propagation of any such idea. I am sure that this impression has been created without their sanction and they will be the first to remove this impression. (Khan Sahib ABUL QUASEM: More than doubtful.)

Sir, the next point to which I would like to draw the attention of the House and of the Hon'ble Ministers is the imposition of collective fines on the inhabitants in the areas where acts of sabotaging of communications and other disturbances have occurred. Sir, I do recognise that imposition of collective fines is sometimes an administrative necessity and is required for punishing the miscreants, for deterring those who are tacit sympathisers of such acts of lawlessness. I hope I am not wrong when I say that Government by notification have exempted the Muslim community from the imposition of collective fines at least in certain parts of the province.

Mr. HUMAYUN KABIR: Sir, I rise on a point of order. I believe, we are discussing the motion which was moved——

(Cries of that point has been decided from the Opposition Benches.)

Sir BIJOY PRASAD SINGH ROY: I do not take any exception to this decision of Government. On the other hand, I congratulate them on their sense of fairness, because if the Mussalmans as a community have not taken part in the movement in an area it is only fair that they should be exempted. But I do hope at the same time, that Government will not try to punish all Hindus in a locality where disturbances have occurred simply because they are Hindus. Government should make a distinction between the innocent and the guilty even amongst the Hindus and make full use of the discretion with which they are vested for granting exemption to a particular class, community or individual, under the Bengal Turbulent

Areas Ordinance. The Hon'ble Chief Minister may say in reply that this has got to be left to the discretion of the local officers in whom Government have full confidence. Sir, I know that Government must function through their local officers. But still I feel that it is Government's duty to see that the discretion is actually and properly exercised and that all Hindus, irrespective of their complicity in the mass movement, are not equally punished. This will only alienate the sympathy of those who are on the side of law and order, and such a policy can never be conducive to the restoration of peace and good-will in a disturbed area. The Chief Minister in his statement says that the District Magistrates have been directed to convey warning to the inhabitants of all areas through which any line of communications passes that they would be held responsible if any sabotage or outrage occurs. I wish that he had at the same time conveyed the direction that on no account should the innocent be punished with the guilty. Sir, on this point I will make a special appeal to the Working President of the Hindu Mahasabha, though I have no doubt that the Hindu interest is always uppermost in his mind. (Khan Sahib ABUL QUASEM: Dr. Mookherjee is now the custodian of the interests of the Muslim community.)

Sir, another matter which I would like to mention is that though preventive and punitive measures have been resorted to, Government have not yet felt it necessary to take steps for carrying propaganda amongst the public against the movement, to impress on the people of this province the danger of such a movement, specially at a time when we have the enemy at our door. Sir, unfortunately, our student community have got involved in this movement. I sincerely deplore it and so, I am sure, does every responsible citizen of this province. My friends Dr. S. P. Mookerjee, ex-Vice-Chancellor of the Calcutta University and Mr. P. N. Banerjee, ex-Principal of the Calcutta Law College, are closely associated with the educational institutions of this province; they are interested in education and in the welfare of the student community personally and traditionally; nobody can doubt their solicitude for the students of Bengal. But I regret to find that up till now they have not organised a single meeting for addressing the students on the undesirability of taking part in this movement. Up till now they had not undertaken a single tour of propaganda in the mofussil for dissuading the students in particular and the Hindu public of Bengal in general from identifying themselves with this movement. In this matter if Dr. Mookerjee would follow in the footsteps of his illustrious father, that friend and benefactor of the Bengali student community, I am sure Dr. Mookerjee would earn the lasting gratitude of many a parent and of his country. Let him do what Sir Ashutosh Mookerjee did in dissuading the students from joining the non-co-operation movement in 1921.

The last point in the Hon'ble Chief Minister's statement, to which I would refer, is regarding the scheme of war insurance of immovable properties. He says that Government have accepted the recommendations of the Committee of Enquiry and have decided to submit the scheme to the Government of India for introducing the scheme. For this assurance we are grateful to him and to his Government. But the scheme should have been

introduced by this time. The Committee submitted their report in the first week of July and today we are at the end of September. Unfortunately, Japan is not likely to stay her hands to enable the file to complete its departmental orbit. Will the Government send an urgent reminder to the Government of India if the matter has already been sent to them; if not, will the Chief Minister kindly see that it is despatched within the next few hours?

Sir, I hope and trust that the points I have raised will meet with careful consideration at the hands of the Government and that they will take steps if they consider it desirable, according to my suggestions. Sir, in conclusion, I will again assure my honourable friends on the Treasury Benches that my observations are not made in a party spirit, because I do not belong to any party within the Legislature nor are they directed for embarrassing the Government in any way. I make my submissions in a friendly spirit and would request the Government to accept them in the spirit in which they have been offered.

Mr. J. B. ROSS: Mr. Deputy President, Sir, I propose to confine my remarks strictly to the motion which is before the House. I listened carefully on Thursday last to the speeches of my honourable friends in Opposition, Khan Bahadur Saiyed Muazzamuddin Hossain and Khan Sahib Maulvi Abul Quasem. They indulged in much diatribe against the Government, on whom both these gentlemen were inclined to throw not only the blame for the existing economic crisis—and one must admit that such a crisis does exist today—but they were also prepared to leave it entirely to Government to put matters right. I expected to hear some constructive suggestions from the Opposition which would assist the Ministry in the handling of this very difficult problem; but in this I was disappointed and I regret to say that their criticisms were generally unhelpful.

My honourable friend the Khan Bahadur I have always held in the highest esteem, for his contributions to the debate in this House have always been of a high standard and have shewn a wide grasp of the conditions of life of the peasant and of his economic problems.

In his speech on this motion however he did not rise to his customary eminence but confined his exhortations to such generalities as "that Government must act" or "that Government must take steps" without in any way offering to assist Government by placing his knowledge and experience at the disposal of the department concerned.

Equally so with my honourable friend the Khan Sahib. He is the roaring lion and the growling tiger of the Opposition (Laughter). But he also, apart from expressing great indignation and showing great depth of feeling, both of which I believe were truly genuine and not assumed, put forward no constructive solution of the present difficulties. He related vividly his personal experiences amongst the residents in his own constituency, experiences which went to show that real distress does exist amongst the peasants; but I would ask him whether he has taken any concrete action either with Government or otherwise to help these poor people in their present plight. Talking alone will not accomplish results.

The European Party in this House is largely representative of employing interests and I would like to inform the House that we have been faced with the same problems in regard to food supplies for industrial labour. We, however, have not allowed matters to drift. Dearness allowances have been granted to employees in almost all cases and so far as Jute Mill and Colliery Labour are concerned, arrangements are now in force whereby rice and wheat are purchased in the principal markets, brought into stock and issued to the labour, in most cases at less than cost, thus ensuring freedom from anxiety on the part of the workers in regard to their staple food supply and at the same time obtaining their loyal co-operation in the furtherance of the war effort in these industries.

One of the chief difficulties, however, encountered by the coal industry in giving effect to this arrangement was the embargo placed on the export of food grains by Provincial Governments.

The continuation of this policy was advocated by one honourable member on my right in speaking on this motion, but in my humble opinion this is a practice which accentuates rather than alleviates the problem of distribution, as it interferes with the normal flow of foodstuffs from producing markets to consuming centres.

Let me give you an instance. The Jharia coalfield is situated in Bihar but its normal source of supply of rice is Bankura in Bengal. With the Bengal Government's ban on the export of rice, the flow of supplies for labourers in the Jharia area ceased and in a few weeks an acute shortage of rice became evident in the colliery bazars, supplies at one time being reduced to 3/4 days' requirements, and the coal industry being faced with the possibility of food riots.

At the same time, the normal source of rice supplies for the labouring classes of North Bengal is Purnea in Bihar, but owing to the Bihar Government's ban on the export of rice beyond the provincial boundaries, serious situation began to loom up in North Bengal.

Under strong pressure from industrial interests it was eventually agreed that the Bengal Government would release supplies for the Bihar coalfields on condition that Bihar released a like quantity for North Bengal. I hesitate to think what would have happened to the Jharia coalfields had this bargaining counter not been available to the coal industries.

One thing is certain and that is that the movement of coal for the use of industries engaged on war production and particularly the metallurgical industries would have been seriously reduced owing to the exodus of labour to places where food supplies were more easily obtainable.

The policy of interfering with the normal flow of foodstuffs from producing to consuming markets by the enforcement of provincial bans is fraught with grave repercussions. I, therefore, strongly invite Government to study the question in the light of the two examples which I have given. It is a practice which requires the most careful reconsideration of provincial authorities.

In this connection it has been rumoured that discrimination in the release of foodstuffs has been shown by Government in favour of members of the Bengal Chamber of Commerce. These rumours have no foundation whatever on facts. Employing interests of the tea, jute and coal industries some time ago realised the difficulties likely to arise in respect of the supply of foodstuffs to their labour forces and took prompt action, put up the funds required individually and arranged for collective purchases entirely for the benefit of Indian workers, literate and illiterate; and I have no doubt that if the Indian employing interests had taken the same action, they would have met with the same treatment, as they must have, at the hands of Government. The whole point is that in times like these you have to do the bulk of the work yourselves and obtain such assistance from Government in the matter of permits and other facilities as Government can readily grant. Unfortunately, however, there is a tendency in many quarters particularly amongst politicians to leave everything to Government and to hope for the best.

The problem of the rural areas is admittedly a different one from that in urban and industrial areas and I am not in a position myself to suggest a solution. I would, however, draw the attention of Government to the steps taken by the Government of Assam to relieve areas in that province where supplies are short. That Government has entered into an arrangement with a commercial firm which, as I understand it, will purchase rice from areas in the province where supplies are plentiful and distribute it in areas where there is scarcity and distress.

Government might consider a similar arrangement for Bengal.

My two honourable friends, however, to whom I have already referred, have wide experience of rural conditions and of rural requirements, and they have the ability and brains to assist Government by putting forward a considered appreciation of these. I suggest to them therefore that instead of indulging in broadsides at Government, they offer the benefit of their experience towards a solution of the difficulties of the peasant to which they are so keenly alive.

With these words, Sir, on behalf of the European Party I oppose the motion before the House.

Mr. SACHINDRA NARAYAN SANYAL: Sir, I regret I cannot congratulate Sir Bijoy Prasad Singh Roy on the (Sir BIJOY PRASAD SINGH ROY: I did not want it) omnibus statement made by him. We could not have expected a better comment from Sir Bijoy and his co-thinkers as the present Cabinet is their eye-sore. With a generally jaundiced vision and outlook they find everything bad and inefficient in the present regime. I quite appreciate my friend's predicament as the cult of negation which he has been cultivating since the new Ministry ushered into existence, has not taught him to think otherwise.

Admitting for the sake of argument that the schemes are not up to the mark, I would ask my friend what was he doing so long. Has he chalked out any alternative scheme for consideration? Has he any

constructive suggestion to offer? He has sat tight so long and has now jumped up to bring to judgment everything. The Hon'ble the Premier has given comprehensive details of what they have done and propose to do in the matter of civil defence and other important schemes at this juncture. We have also read the Finance Minister's speech regarding endeavours made by the Government in the matter of providing essential commodities, namely, rice, sugar and salt. These have relieved popular anxiety to a very great extent. All that we want is that earnest efforts should be made to alleviate public distress and we should hold some patience and watch and see after all what actually the Cabinet does, what benefit we get by this Ministry.

Mr. KRISHNA CHANDRA ROY CHOWDHURY: Sir, I will confine my remarks on the problem of the serious food situation in Bengal. We are grateful to Mr. Ross, the Leader of the European Group, for stating what the Bengal Chamber of Commerce, representing the employers of Bengal and Bihar, are doing in the matter. The situation regarding the supply of foodstuff and other commodities is getting critical day of day, as everybody knows. It has affected the workers, because while they are working in mill areas, they cannot employ their part-time to grow foodstuff. In some labour areas the problem has become so acute that the danger of food riots and consequent dislocation has become very great and I can tell you, I shall not be surprised to hear of such disturbances if the present state of things is allowed to continue. These riots will give much more trouble to the custodians of Law and Order than the congress saboteurs have done. In spite of prices being declared to be controlled, the fact is that wherever commodities are available, their prices have shot up more than 100 per cent. In many areas where there is very serious shortage of foodstuff, unlawful concealment of stocks by dealers is rampant. The stores opened by British employers are unable to cope with the situation mainly due to the adoption of unimaginative methods and lack of voluntary association of the workers. They can give a cheque for Rs. 10 lakhs for the purchase of wheat, flour, paddy or other commodities for the people of the mill areas, but they have no supervision over the staff who control the sale of foodstuffs in the employers' shops properly, as I have seen only yesterday in Bhatpara.

There are other defects also in the shops started in the mill area. Sir, before the workers there is a dual problem: the immediate problem of existence and also the problem of finding facilities for maintaining the increasing production on behalf of their employers. The efforts of Government seem to show that they believed that this problem has nothing to do with war production or the defence of the country: or else they are confused and find themselves incapable of tackling the problem. Sir, it is our duty to warn the Government and I say this advisedly on behalf of workers and particularly on behalf of the Federation of Indian labour which is vitally interested in the problem of food prices—it is our duty to warn the Government as also the people that this problem should not be treated indifferently, because on a successful solution of this

problem will depend the maintenance and increase of war production; and it must be borne in mind that the people who are affected very seriously by the high prices of foodstuffs are potential victims of the revolutionaries, designing Fifth Coloumnists. That is what is happening and Britain knows only too well about this in certain British possessions. The Government and the employers have tried to meet this problem by taking some measures. They have fixed prices for different commodities: they have issued Ordinances to regulate the normal prices of supplies. They have opened stores in some places. In spite of all these, however, it requires no argument today to prove that the problem still continues and that the measures are not at all effective. There must be some serious fundamental defect in the whole approach to the problem. As Mr. Ross has complained that no concrete suggestion has been made in the House on the subject, I am going to give some constructive suggestions here. Members who live in comparative comforts in towns cannot realise the horrible situation, the painful, the harrowing distress, that prevails in the industrial areas and in certain villages, for example, in the 24-Parganas which I visited only the other day. So far as labour is concerned, my concrete suggestions are that every factory coming under the purview of the Factories Act must open one or more stores of supply of commodities. The jute mills have got many facilities to open and manage such shops; but this covers only three or four lakhs of employees—probably only one-fifth of the industrial and other employees in Bengal.

My second suggestion is that the management and control of these stores will be undertaken by joint committee of equal representatives of employers, employees and the Government.

By Government I meant the Subdivisional Officer in a subdivision and in a district any suitable Government officer.

Mr. J. B. ROSS: But who pays for these shops?

Mr. KRISHNA CHANDRA ROY CHOWDHURY: Well, Government pays its officers very handsomely or rather highly. Some of them can serve on these committees; they can assist employers by advice in managing their shops. There are many well-paid men working in the jute and other factories who can assist on these committees without any additional remuneration. My third suggestion is that the present system of supply by the exchange of coupons or tickets should be replaced by cash system to only *bona fide* employees. My fourth suggestion is that the supply of commodities in labour areas both in the bazars and in the factory stores should be regulated and controlled by the district or subdivisional control committees formed on the same basis as mentioned before in my suggestion No. 2.

These committees should be in direct touch with a control committee of the whole province. My fifth suggestion is that the Government with the help of popular anti-Fascist organisations should immediately open

shops in the bazars—and I suppose Government is doing something in that direction—for retail sell under control prices. My sixth suggestion is that deterrent punishment must be meted out to those who conceal or try to conceal stocks, that is to profitteers and hoarders.

Sir, I can say that if the Hon'ble Chief Minister were present, he would have taken note of it. I had reports that the staff of the Controller of Prices have taken money from stock-holders and one of them has been arrested and that his case is still under police investigation. The amount involved in this case is Rs. 5,000 taken by him from a very big stockist. Sir, I have heard it from a reliable source yesterday——

The Hon'ble Mr. SANTOSH KUMAR BASU: Who told you this?

Mr. KRISHNA CHANDRA ROY CHOWDHURY: My friend heard it from one of the members of the staff of the Director of Civil Supply which is the new name—the old name was Controller of Prices. Therefore, Sir, there should be such a system whereby non-officials should be represented on a Board to assist the Director and help him in detecting corruption and bribery. Then, Sir, some members of the Price Control staff and of the War Purchase staff expressed that they must put by as much as possible, as victory is uncertain. The members of the Supply Department and various other purchasing and checking departments are mostly pessimistic about the ultimate result of this war and so they make as much money as they can, as they think there will be no authorities left to check the stock or accounts—that is the feeling they have got. Therefore, Sir, with the help of such organisations as anti-Fasist defence committees or anti-Faccist political parties and trade unions and the Indian Federation of labour, and their respective volunteers, vigilance, both official and unofficial, should be organised by the local police against any violation of the control ordinances and rules——

Mr. DEPUTY PRESIDENT: Mr. Roy Chowdhury, how long will you take to finish your speech?

Mr. KRISHNA CHANDRA ROY CHOWDHURY: In five minutes, Sir,

Mr. DEPUTY PRESIDENT: Try to finish in three minutes, as I shall have to adjourn the House now.

Mr. KRISHNA CHANDRA ROY CHOWDHURY: All right, Sir. Steps should be taken to ensure regular flow of supply to these stores and to see that the retail dealers are not exploited by the wholesale dealers, that the wholesale dealers do not get perferential supply by the aid of influential persons in the Government or by paying money. In all matters

regarding change of controlled prices, the joint committees in factories, the control committees and the popular anti-Facist organisations should be consulted, giving them the facts of the particular situation. Sir, in conclusion it is my earnest prayer to Government that steps should be taken to put a stop to corruption and bribery and constitute Advisory Committees to assist Civil Supplies Department. I appeal to Mr. Pinnell, the new Director of Civil Supplies, one of the oldest members of Civil Service, to take drastic steps against profiteers and hoarders of foodstuffs and against those who are dishonest and take money from the big stockists.

Mr. DEPUTY PRESIDENT: Order, order. It has been brought to my notice that much inconvenience is being felt for want of information as to what will be the agenda tomorrow. Will the Leader of the House please state what will be the business tomorrow?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Todays' business will continue tomorrow.

Mr. DEPUTY PRESIDENT: Order, order. The House stands adjourned till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Wednesday, the 30th September, 1942.

Members absent.

The following members were absent from the meeting held on the 29th September, 1942:—

(1) Mr. Kader Baksh.
(2) Mr. S. C. Chakravarti.
(3) Khan Bahadur Rezzaqul Haider Chowdhury.
(4) Mr. B. C. Datta.
(5) Mr. N. C. Datta.
(6) Mr. K. K. Dutta.
(7) Khan Bahadur Alhadj Khwaja Mohd. Esmail.
(8) Mr. R. W. N. Ferguson.
(9) Mr. K. L. Goswami.
(10) Khan Bahadur Syed Mohd. Ghaziul Huq.
(11) Maulana Muhammad Akram Khan.
(12) Mr. W. B. G. Laidlaw.
(13) Dr. R. K. Mookerjee.
(14) Mr. R. Pal Chowdhury.
(15) Khan Bahadur Mukhlesur Rahman.
(16) Dr. K. S. Ray.
(17) Mr. B. K. Roy Chowdhury.
(18) Rai Sahib J. M. Sen.

BGP-42/3-8228A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 7.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 30th September, 1942, at 2-15 p.m., being the seventh day of the Second Session of 1942, pursuant to section 62 (2) (*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

Point of Privilege.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, before you take up the questions, I wish to raise a point of privilege of this House.

Khan Bahadur NAZIRUDDIN AHMAD: On a point of order, Sir. The question of privilege——

Sir BIJOY PRASAD SINGH ROY: When there is a point of privilege, no point of order can be raised.

Khan Bahadur NAZIRUDDIN AHMAD: I am supporting Mr. Hamidul Huq Chowdhury. I was saying that his point of privilege might be taken up after the questions are finished.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, yesterday the Nawab Bahadur of Dacca in reply to a question relating to food-supply stated, when we had asked how much rice the Government had actually purchased, that for reasons of State he could not divulge the total quantity. Today we find in the newspapers that a communique has been issued by the Government showing the quantity of rice which they have purchased and which they are holding in their custody. This is a deliberate insult to the House inasmuch as the Hon'ble Minister withheld the information from the House. He had the information which he supplied to the Press for publication although he did not inform the House of the total quantity of rice the Government had purchased. It seems that the public has greater right than this House to have the information from the Hon'ble Minister. This House has been treated with contempt in this way. The Hon'ble Nawab Bahadur of Dacca, moreover, remains mostly absent, from the meetings of the Council even if he be in Calcutta when important subjects regarding his department are taken up in the House.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I am very sorry that the honourable member has made a statement like that. I had no desire whatsoever to insult this House. When yesterday I replied to that particular question, it was for reasons of public interest that the exact quantity was not mentioned. But it was afterwards decided by the Council of Ministers that the exact quantity should be published for the information of the public. So, it was published through the communique.

Mr. HAMIDUL HUQ CHOWDHURY: The Hon'ble Minister should know that the House is much more interested than the Hon'ble Minister himself in this particular question. I submit that the Hon'ble Minister had the information in his possession yesterday. If so, why did we not get this reply?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As I have already stated, this question concerned the Government of India and unless the Government of India gave us permission to publish the information, we had no right to publish it.

Sir BIJOY PRASAD SINGH ROY: Does the Hon'ble Minister suggest that between his statement in this House that it was against public interest to supply the information in answer to the supplementary question put by my honourable friend, and the publication of the communique, he had the communication from the Government of India?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes.

Sir BIJOY PRASAD SINGH ROY: Most absurd.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It is not absurd.

Sir BIJOY PRASAD SINGH ROY: Of course, it is. Unless the Minister had a telephonic communication from the Government of India how could he have received the directions of the Government of India within this short time?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: May I again say that there was a communication from the Government and the reply had not come from the Government of India when I was answering it?

Mr. HAMIDUL HUQ CHOWDHURY: There was a publication in the papers day before yesterday that Government held 9 lakhs tons of rice. The Government contradicted it this morning by saying that it was not tons but maunds. Therefore, as between the statement which was contradicted and the communique in question there was only 24 hours. If the Government of Bengal could take the consent of the Government of India so quickly within 14 or 20 hours, could not the Minister enquire from the Government

of India whether such a great secret of State which may enable the Japanese to win the war should be disclosed to the Legislature when this question was asked?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have nothing further to add.

Khan Sahib ABUL QUASEM: The Hon'ble Minister is slighting this House. He deliberately violated the privileges of the House, viz., the privilege of asking questions and getting straight replies thereto. The Minister said that owing to reasons of State he could not give the information but in the following morning they came out with a communique. Is it not flouting the privilege of the House? The Hon'ble Minister in replying to the question is showing a spirit of levity which is not expected of him.

Mr. DEPUTY PRESIDENT: A question of privilege has been raised by Mr. Hamidul Huq Chowdhury. Before I give my opinion offhand as to whether it really amounts to a breach of the privilege of the House, I think I should ascertain the sense of the House on this point. If Mr. Chowdhury is keen over it, he may move a motion before the House to refer the matter to the Committee of Privileges.

Mr. NARESH NATH MOOKERJEE: I would like to know how the question of obtaining the sanction of the Government of India arises before the Government of Bengal releases certain information to the House. Cannot the Government of Bengal in their own judgment decide and give information on questions affecting the interest of the people? I would like to know from you, Sir, whether any breach has been committed by the Government by withholding the information for two or three hours and issuing a communiqué to correct the misapprehensions that may have been current. I do not see, as far as I am concerned, that any harm has been done. The information has been obtained and published and the rumour has been corrected. There was a false rumour prevailing in the city that 9 lakhs tons of paddy that had been bought by the Government had been shipped outside India. If that communique has done any thing at all, it has removed a lot of uneasiness. I do feel that Government can issue any communique at any time even at midnight for publication the next morning, and I do not think it is necessary for the Government to obtain the Government of India's sanction before doing so. I find that certain members of the House have questioned the *bona fides* of the Government, they have even insinuated that Government are withholding the truth: I think this is a very bad tactic adopted on the part of the Opposition. I do feel that a certain amount of courtesy is due to the Hon'ble Ministers particularly after they have definitely expressed a particular opinion.

Mr. HAMIDUL HUQ CHOWDHURY: Mr. Mookerjee in his anxiety has put forward some argument when the Hon'ble Nawab Bahadur has failed to satisfy the House even with his statement of fact. Mr. Mookerjee is

possibly correct, namely, that the Government of Bengal has got the right of issuing information to the public but that in spite of this they have gone to the Government of India which they need not have done at all. Mr. Mookerjee says and I agree with him that the present Ministry should not whittle down the autonomous rights which have been given to the province, and if the Ministers deliberately go out of their way to deprive the province of whatever little rights we have in this province and create a precedent so that those rights may be taken away by reason of the actions of Government, then that would be a fateful day for this province. I do not therefore think that the Ministers are justified in giving up their rights. Sir, I do not question the right of the Ministers to issue any number of communiqués, in the course of a single day or in a single night. But I do complain that Government was not at all entitled to declare that they could not divulge certain information on the floor of the House one afternoon and yet publish the same information the very next morning in the form of communiqué.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It is a complete untruth.

Mr. HAMIDUL HUQ CHOWDHURY: Which is untrue? That the Hon'ble Minister did not make the statement to the Press or that he did not make that declaration in the House last afternoon?

Mr. DEPUTY PRESIDENT: I am very sorry to interrupt the honourable member now speaking. Is he referring to the printed answer which was read out yesterday or to the Hon'ble Minister's replies to any of the suppelementary questions?

Mr. HAMIDUL HUQ CHOWDHURY: To his replies to my supplementary questions. As requested by you, Sir, I am moving the following privilege motion:—

> "The deliberate failure of the Hon'ble Minister in charge of the Agriculture Department to give certain information to the House which however he gave to the public the next morning has seriously affected the privilege of this House and that the matter be referred to the Privilege Committee."

Mr. LALIT CHANDRA DAS: Have you used the word "deliberately?"

Mr. HAMIDUL HUQ CHOWDHURY: Yes, why not?

Mr. LALIT CHANDRA DAS: "Deliberately" or "carelessly"?

Mr. HAMIDUL HUQ CHOWDHURY: Yes, I have used the word "deliberately." Let me now give my reasons for this motion. I have used the word "deliberately", because the Ministers are responsible persons

and whatever action they do they do after due consideration and deliberation and after considering all its implications. Therefore, the particular question which has given rise to this privilege motion is of some importance to the province. It has been agitating the minds of the people for a long time and the Hon'ble Minister should not have been so careless in his reply to the question when it was put to him. After all, it is well-known to the Hon'ble Minister that the purchase of rice by the Government of Bengal in huge quantities has affected to a very great extent the prices prevailing in the country. It has created an impression in the country that Government are at present purchasing rice recklessly at high rates. Consequently, the holders of stocks of rice are withholding their rice in order to have the price of rice increased, and they are as a matter of fact getting this increased price. There was a desire on the part of the big stock-holders to corner——

Khan Bahadur NAZIRUDDIN AHMAD: On a point of order, Sir. I think we are considering a matter of privilege of the House. Here the question of big stockists and things like that do not arise. The honourable member is introducing wider issues than is necessary.

Sir BIJOY PRASAD SINGH ROY: I think it is a question of misunderstanding and I appeal to my friend Mr. Hamidul Huq Chowdhury not to press this question any further. If there is any misunderstanding, he can meet the Hon'ble Nawab Bahadur and obtain the full facts from him. I think that is the best way: so may I request him to drop the matter?

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I have got no vindictive feeling against anybody. But I have raised the point of privilege in order to maintain the prestige of the House and on behalf of all sections of the House I was trying to press upon the Hon'ble Minister to disclose the reason. But in view of the request of Sir Bijoy, I withdraw the privilege motion. I think at the same time that what I have already said has created the necessary impression.

Question with answer which remain outstanding from the Third Session, 1941.

Scholarships for Muslims.

72. Mr. NUR AHMED: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) what was the total number of scholarships and stipends granted from Provincial Government Fund for all classes of education in 1936;

(*b*) how many of these scholarships were general scholarships and how many were reserved for Muslim boys and girls;

(*c*) what was the total value of these scholarships and what was the value of the scholarships reserved for Muslim pupils in 1936;

(*d*) what was the total number of scholarships and stipends in 1940;

(*e*) how many of these scholarships were general and how many special scholarships for Muslim pupils of all grades;

(*f*) what was the total amount spent on scholarships and stipends from provincial revenues in 1940 and what was the sum spent on scholarships and stipends reserved for Muslim students of all grades in 1940 from provincial revenues; and

(*g*) how many scholarships and stipends and of what value have been created by the Government of Bengal since 1938 up to 1940?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur M. Abdul Karim): (*a*) 1,626 scholarships and stipends (including scholarships and stipends for Europeans and Anglo-Indians) of different values and for different periods amounting to Rs. 2,94,385 and special scholarships and stipends amounting to Rs. 45,190 per annum.

(*b*) Of the 1,626 scholarships and stipends 927 were general and 331 were for Muslims.

(*c*) The value of the 1,626 scholarships and stipends was Rs. 2,94,385 and the value of the 331 scholarships and stipends for Muslims was Rs. 67,812.

(*d*) 2,604 and special scholarships and stipends amounting to Rs. 1,67,838.

(*e*) Out of the 2,604 scholarships and stipends, 976 were general and 840 were for Muslims.

(*f*) The total amount spent was Rs. 7,37,499 and the amount spent for Muslims was Rs. 2,60,855.

(*g*) 1938-39—281 scholarships and stipends for the value of Rs. 91,772 and special stipends of the value of Rs. 41,284 per annum.

1939-40—643 scholarships and stipends of the value of Rs. 1,70,552 and special stipends of the value of Rs. 38,336 per annum.

1940-41—22 scholarships and stipends of the value of Rs. 6,385 and special stipends of the value of Rs. 43,078 per annum.

Khan Bahadur ATAUR RAHMAN: Arising out of (*d*) and (*e*), of the 1,626 scholarships and stipends, it is stated that 927 were general and 331 Moslems; but what about the rest, i.e., 368? Will the Hon'ble Minister please enlighten us on this point?

The Hon'ble Khan Bahadur M. ABDUL KARIM: There were Scheduled Castes, European and Anglo-Indians.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister please look to answer to (*a*) in which it is stated "special scholarships and stipends amounting to Rs. 45,190 per annum" and also to

answer to (*c*) "and the value of the 331 scholarships and stipends for Muslims was Rs. 67,812" and say how it is possible to allot Rs. 67,812 out of Rs. 45,190. The figures are apparently wrong. Are not they?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Might be that. It requires re-examination of the answers before I can answer this question properly.

Khan Bahadur ATAUR RAHMAN: Does the Government mean that nearly 400 scholarships are reserved for the Scheduled Castes and only 300 for Muslims?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I cannot give the exact figures.

Khan Sahib ABUL QUASEM: Arising out of answer to (*f*), will the Hon'ble Minister be pleased to state why the Muslims have been allotted less than half the amount?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Well, it is impossible for me to say that offhand. I wish to make further enquiries.

Khan Sahib ABUL QUASEM: Will the Hon'ble Minister be pleased to state the principle which was followed in distributing these amounts between the Muslims on the one side and the non-Muslims on the other?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Fairly, that is all that I can say.

Khan Sahib ABUL QUASEM: What was the principle followed—how was the amount distributed among the different communities?

The Hon'ble Khan Bahadur M. ABDUL KARIM: According to necessity: that is all that I can tell you now; but what was the exact principle followed I cannot say.

Khan Sahib ABUL QUASEM: Will the Hon'ble Minister please state whether it is not a fact that the necessity of the Muslims is greater than that of the Caste Hindus?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I think so.

Khan Sahib ABUL QUASEM: How then the Muslims have been granted less than half the amount?

Khan Bahadur NAZIRUDDIN AHMAD: Is it a fact that in the general scholarships Muslims also are entitled to compete?

The Hon'ble Khan Bahadur M. ABDUL KARIM: General scholarships are open to all—Hindus, Muslims, Scheduded Castes and others.

Message from the Assembly.

Mr. DEPUTY PRESIDENT: The Secretary will now read the message from the Assembly.

SECRETARY: Sir, the following message has been received from the Bengal Legislative Assembly:—

"The Bengal Legislative Assembly at its meeting held on September 29, 1942, agreed to the amendments made by the Bengal Legislative Council in the Bengal Agricultural Debtors (Second Amendment) Bill, 1942.

S. J. HASHEMY,

Deputy Speaker,

Bengal Legislative Assembly."

The Bengal (Rural) Primary Education (Amendment) Bill, 1942.

Mr. DEPUTY PRESIDENT: The House will now take up the Bengal (Rural) Primary Education (Amendment) Bill, 1942.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I beg to move that the Bengal (Rural) Primary Education (Amendment) Bill, 1942 (as passed by the Assembly), be taken into consideration.

Mr. DEPUTY PRESIDENT: Motion moved that the Bengal (Rural) Primary Education (Amendment) Bill, 1942 as passed by the Assembly, be taken into consideration.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that the Bill be circulated for eliciting opinion thereon by the 23rd December, 1942.

My object in moving this motion is that very important principles are involved in the Bill and it is necessary that public opinion should be fully elicited before it is passed into law. In this 20th century no one likes that in the public bodies there should be nominated members, and so it is against general public opinion that the principle of nomination already existing should be increased. In this Bill an attempt has been made to increase the number of members on school boards by two nominated members. It is a very important departure from the accepted principle. When the country is demanding that the nomination system should be done away with, at such a time to bring in a Bill by which the number of nominated members will be increased is, I think, doing injustice to the public in general. I think this Bill should go to the public for their opinion. After the public opinion has been obtained, it should come before us.

Mr. DEPUTY PRESIDENT: Amendment moved that the Bill be circulated for eliciting opinion thereon by the 23rd December, 1942.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I rise to support the amendment moved by Khan Bahadur Saiyed Muazzamuddin Hosain. In 1930 when the Bill was discussed in the then Legislature, the strongest opposition was given by the non-official members to the principle underlying the provision for nomination. They attacked the whole Bill from this point of view, namely, that it was already overburdened with official and nominated representatives, and so far as I remember, one of the Ministers resigned his Ministership as a protest against this Bill. Sir Bijoy Prasad who was one of the members of that Council will be able to tell the House what vehement opposition was put up on that occasion. The same Opposition have now come into power, and are fortunately or unfortunately the sponsors of this Bill. They wanted to create a majority of official and nominated members on the Central Committee but a change was effected in the Bill during its passage in the Lower House on account of the opposition given by the Muslim League. We have for a long time found it extremely difficult to reconcile the existence of this nominated block in most of the self-governing institutions along with the principle of giving full autonomy or responsibility to the people. The introduction of large blocks of nominated and official members in such bodies does not really make for efficiency, because efficiency if it reposes with the officials should be recognised by investing complete power with the official section. Where you create a balance between the official and the non-official, the elected and the nominated, there is always the danger of creating a sort of irresponsibility in a section of people who fail to secure through the ordinary channel the confidence of the people but who by humouring the officials and Government get into the boards and then by combination with other parties get into power. In fact, they neither represent the Government nor the electors, with the result that a very irresponsible administration is established in these boards. Sir, we are not at all surprised that the Government has brought in this Bill, for during the last eight months the experience of the Moslem members of the Ministry and the Chief Minister has led them to the bitter conclusion that they cannot depend upon the support of a large section of the people of the province for any of their actions. Therefore, like a person who proves himself a renegade, the Chief Minister is taking vengeance at every step against his own community. He has started by suppressing many municipalities and district boards, and his latest act was the virtual suppression of the District Board of Bogra, by which he has been able to put a member of his party. I mean his new Progressive Coalition Party, in the position of the Chairman, although that gentleman is neither a member of the District Board nor a voter of that district and although when he came to hold this office he was declared unfit, by reasons of certain civil proceedings which were taken against him, for membership of any public body whatever. This move of the Chief Minister was preceded by the supersession of one of the few municipalities in which there was a Moslem Chairman. I refer to the Chittagong Municipality, whose Chairman was a Moslem

Leaguer. Sir, the Chittagong Municipality is one of those few municipalities wherein greater and greater stress was laid on the spread of compulsory primary education. That was their crime and because they had not the proper financial resources, the municipality was superseded. Even when in want of funds this municipality struggled on and curtailed their expenditure; they maintained their recurring expenditure every year, but their financial stringency was put as a special ground by the Government for suppressing this municipality. I was just digressing because this is the policy which has actuated the present Ministry to forget their former declaration that Government always stood for unalloyed representation of the people and by the people out of their free will. The Congress party during the last 5 years cried itself hoarse to declare that they stood for the principle of election to local bodies and that they were for doing away with the pernicious system of nomination which was then existing, and for amending the provision in every Act which provided for nomination. But all on a sudden that party has undergone a strange metamorphosis. As soon as they come into power, they find that they cannot get any entrance into the local bodies except with the help of nomination and they find that they have lost the support of the people of the province, both the Hindu section and the Moslem section. Therefore, the same party, which has now been disowned by Congress, although every morning we are told that it is the Congress which is the most popular body even in this province, is now found to be supporting the principle of nomination. The Congress has repudiated that section which is now in power here and that another section of the House which is now forming one of the major blocks of the Ministry, the ex-Muslim Leaguers, they have also been expelled from the Muslim League. Sir, it was the pleasure of the Hon'ble Chief Minister, during the regime of the last Ministry to go out of the province during these four and half years——

The Hon'ble Khan Bahadur M. ABDUL KARIM: I submit, Sir, all this is irrelevant.

Mr. HAMIDUL HUQ CHOWDHURY: Not at all; during this period he who had the pleasure of going out of Calcutta every week, not every week but even twice in a week——

Mr. DEPUTY PRESIDENT: Order, order. I would request the honourable member not to indulge in elaborate references to matters which have no direct bearing on the subject under discussion. I would request him also not to make any personal attack.

Mr. HAMIDUL HUQ CHOWDHURY: I am just referring to the public acts of the Hon'ble Chief Minister, not to his private activities.

When the present Ministry found that they would have no hold upon some of the public institutions,—the two institutions which they had in mind were the Dacca and the Mymensingh School Boards,—for the

purpose of curtailing the power of the Presidents who are going to be non-official and who they know would inevitably be Muslim Leaguers, they are trying to introduce a little more of the nomination system. They have used the Scheduled Castes, for whom we have the fullest sympathy in the House, and to kill two birds with one shot, they have provided that they would get nomination on the district school boards. We have got two Scheduled Caste members in this House and they will have this additional preferment in exchange of the support they are giving—in exchange for the non-fulfilment of the promise of the present Ministry to appoint another Minister from the members of the Scheduled Castes and the appointment of a Parliamentary Secretary——

Khan Bahadur NAZIRUDDIN AHMAD: Sir, it is not relevant to the subject under discussion——

Khan Sahib ABUL QUASEM: Have patience to hear the unpleasant things which are hapenning.

Mr. HAMIDUL HUQ CHOWDHURY: It is relevant. In this way, Sir, they are killing two birds with one shot. But will the Scheduled Caste members be satisfied with this state of things? Let them say so. There is one Scheduled Castes elected member in this House; I am not talking of him, but I am talking of the larger section of the community in the country. Will they be satisfied with this nomination system? Today you have got one government but tomorrow you will have another. They will have to face the fact that the gentleman who is nominated happens to be a member of the Scheduled Castes. Again, Sir, he will have to look to the authority in power for the time being for support and will not be able to look after the interest of the Scheduled Castes as they will be compelled to support the Ministry in power. Sir, I may say that the Scheduled Castes member who is sitting opposite was returned on Congress ticket——

Mr. AMULYADHONE ROY: I have been returned with Scheduled Castes votes.

Mr. HAMIDUL HUQ CHOWDHURY: All the same, he was defeated in the first general election and then got returned with Congress votes. But I have no doubt that he is one of the ablest members of the Scheduled Castes and the community is no doubt proud of him. But the fact remains that he has not got any freedom of votes. I am asking this House to agree to this, namely, to circulate the Bill for the opinion of the Scheduled Castes members. We agree to give them representation,—the representation they deserve. But let them choose, how they will get the representation, how they will choose their own representatives; let them choose who will be their selectors. So, I submit, Sir, that in the fitness of things this Bill should first of all be circulated to the country. The Hon'ble Minister is possibly ready with the answer that the Bill was before the country for one year. We know how this was before the country.

Perhaps it was published on the last page of the gazette and the next day even the printer could not remember on what page the Bill was published. That sort of notice has been given to the people who are vitally affected by this Bill. So, Government should accept this motion for circulation.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I rise to oppose the amendment. (Khan Sahib ABUL QUASEM: "Naturally.") Sir, I did not expect this remark from an experienced lawyer who occupies a prominent position in his party. However, Sir, the reason for my opposition is simple. The Bill is of a very simple character. It tries to give primary education to the province at once. With regard to giving primary education there could possibly be no objection. Hitherto we found a totally different group of men opposing the introduction of free primary education in the province; but I was rubbing my eyes in wonder when our friends of the Opposition have taken up the attitude that this Bill should be circulated. Nothing could be more surprising than this. As a lawyer practising in the civil and criminal courts for a pretty long time, I have often appreciated the difficulty of a lawyer who is forced to adopt and repeat the arguments of his opponents in order to sustain himself. I found that the Congress for some time was opposing nomination while Mr. Hamidul Huq Chowdhury was applauding nomination. (Mr. HAMIDUL HUQ CHOWDHURY: I never did so.) What has happened in meantime? Every one can easily understand what has brought about this change. (Mr. HAMIDUL HUQ CHOWDHURY: Because you can expect nothing but nomination.) Well, it my friend Mr. Hamidul Huq Chowdhury is happy to think like that I have no objection, but the position is not that. So far as the different bodies are concerned, the question of nomination depends on the nature of the institution itself. There are certain bodies where nominations are not necessary. There are, for example, no nominations in the Legislatures except in the Upper House to provide seats for special interests and experts. So far as the district boards are concerned, a Select Committee of this House has passed a Bill which would make drastic modifications in the matter of nominations. With regard to municipalities, village self-governing bodies, debt settlement boards, district education boards and other rudimentary boards like these, the abolition of nominations is fraught with difficulties. The question is whether by the abolition of nomination we would not put difficulties in the way of Scheduled Castes and women for whom nominations have been specially provided in the Bill. Nominations are necessary here to safeguard the rights of certain communities and interests. The question depends upon local conditions of the different bodies. I submit, Sir, the question of maination should be dealt with on the merits in each case. With regard to district boards, they are going to begin without nominations, but it is too early to abolish nomination altogether in the less experienced or inexperienced bodies. Now, Sir, with regard to the question raised by Mr. Hamidul Huq Chowdhury that the Bill should go back to the country to ascertain the views of the people, I think, on general and broad matters like these, members have been elected from different constituencies, directly or indirectly, and the electors expect them, on ordinary

matters, to take care of themselves and vote accordingly. It would be a confession of inability and incompetence on our part to say—to be forced to say—"We do not know what the country thinks and so let us circulate the Bill to ascertain what the people would say." Mr. Hamidul Huq Chowdhury's argument was extraordinary. He expressed the opinion that, after a Bill is published in the Gazette, nobody takes any notice of it. The question is, if a Bill is circulated for eliciting opinion, whether there is any guarantee that it would receive greater attention or produce greater enthusiasm. The question is a very simple one. It is only a very limited nomination of women and the Schedule Castes that constitutes the special feature of this Bill. It would be apparent from practical considerations that these provisions should remain. There is another aspect of the case. In considering this Bill in another place there was a special compromise between the Opposition, the Scheduled Castes and Government. The formula of the nomination in the Bill is the result of that compromise. I do not refer to it by way of academic argument but I would appeal to my friend Mr. Hamidul Huq Chowdhury who belongs to the party of the Opposition in another place. It would be extraordinary if the two branches of the same party in the two Houses should be totally unaware of each other's activities. If that is so, if Mr. Hamidul Huq Chowdhury thinks he is not in the confidence of his counterpart in another House, it would be a confession of an extraordinary nature.

Mr. HAMIDUL HUQ CHOWDHURY: We refuse to be influenced by the decision arrived at either by compromise or by any other means, in another House. We are discussing the question afresh.

Khan Bahadur NAZIRUDIN AHMAD: The reply is not to the point. If Mr. Hamidul Huq Chowdhury says that what has been done in another place has not his acceptance or he has not been consulted, the argument defeats itself and weakens his position. I have never suggested that the compromise is binding. It is a matter which should require consideration. On a simple matter like this——

Mr. HAMIDUL HUQ CHOWDHURY: On a point of order, Sir. My friend is repeatedly referring to what has happened in the Lower House. I submit it has been repeatedly said that no reference should be made——

Khan Bahadur NAZIRUDDIN AHMAD: My remarks may be inconvenient to him. It was by way of appeal to the Opposition to withdraw their objection and to allow the Bill to pass that I referred to the matter and not to show that it was binding. When people are hungry, give them food; when the people are ignorant, give them education; but pray do not send the Bill for circulation which would merely delay the remedy. I, therefore, submit that the motion is dilatory in its effect though it may not be dilatory in intention. Let us here and now give the people the education which they sorely need and not waste our time in trivialities.

Khan Sahib ABUL QUASEM: Sir, I rise to give my whole-hearted support to the motion which has been moved by the Leader of the Opposition. Sir, it has become a habit or rather a licence—I do not mean any disrespect but I say with all apologies to the supporters of Government—for Khan Bahadur Naziruddin Ahmad to give us lectures and he has just read us a homily and has made an appeal to us to consider the Bill, as though, Sir, we are oblivious of the need of primary education in the countryside; as though, Sir, the motion for sending the Bill into circulation was designed to stop even for a second the spread, the acceleration of primary education in the countryside, and as though any appeal to us were needed at all in this matter. He arrogated to himself a certain high sense of the urgency of primary education which he thinks other people are devoid of. This assumption on his part I should describe as gratuitous and ill-founded and I think he will realise that such assumption does not enhance his reputation in the estimation of his fellow members in this House. We would ask him not to waste the Council's valuable time in such homilies. I may assure the House that by this motion the spread of primary education is not going to be retarded for a single second, not to speak of a single minute. Where district school boards exist, they are carrying on. There are certain districts where such boards have not yet come into existence and the establishment of school boards is at the option of the district boards. Therefore, if this Bill is not passed today or is passed six months hence, it would not in any way affect the boards which are already functioning and carrying out their duties under the present Act. So when the Khan Bahadur pretends that by this circulation motion we are going to retard the spread or acceleration of primary education which is so necessary, we consider him presumptuous, because he considers other people to be oblivious of the importance of the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: It is presumptuous on your part to say so.

Khan Sahib ABUL QUASEM: Presumptuous on your part to think that all other people are oblivious and it is only you who are conscious of it!

Khan Bahadur NAZIRUDDIN AHMAD: It is inferiority complex on your part that you always think so of others.

Khan Sahib ABUL QUASEM: You may rest content with your superiority complex and hug it to your bosom. Sir, this Bill raises certian principle of cardinal importance. We have had enough sad experience of the principle of appointment or nomination as it is called in common parlance; but unfortunately it is still continuing. Before the year 1936-37 under the Government which used to be carried on under the old Act, namely, under Dyarchy, we were accustomed to appointments or nominations by Government. We now have what is called an autonomous Government under the Government of India Act of 1935 and we have had bitter

experience of how the Government of the day under the new constitution sought to win over members to their side through this power of nomination, by nominating them as members of local bodies and Committees and enlisting their support and almost enslaving them. Here we are told by members of the so-called Progressive Party which supports the present Government, the ramshackle party which is supporting the present Government in power

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Mr. LALIT CHANDRA DAS: That word "ramshackle" is unparliamentary.

Khan Sahib ABUL QUASEM: No, my friend, it is a very good parliamentary expression if you know its meaning. This word has been used in well-known parliamentary debates any number of times. But I shall not be deterred from expressing my opinion. This ramshackle party which now supports the Government in power, this so-called Congress party, as my friend, Mr. Hamidul Huq Chowdhury has already said, which still continues to call itself as Congress although the Congress has repudiated and disowned it times without number. I do not know by what right they call themselves Congress members—they are renegades. They say they are the real Congress. But the fact remains that the real Congress has decided that no Congress member should be in the Legislature. All the same they are in the Legislature having their members in the Cabinet supporting the Ministry in power and being in sympathy, at the same time with the disorder created by the present rebellious movement so that they may lend colour to their pretension that they are Congressmen. Then, Sir, these gentlemen, these so-called Congressmen—these great patriots and nationalists tell us in season and out of season that they hate the nomination system and the principle of appointments by Government. But now that they are in power, the so-called Congressmen—the renegade Congressmen of the so-called Progressive Coalition Party—they are supporting the proposal for extending the principle of nomination and appointment by Government which they hated before. Then, Sir, the members who call themselves Congressmen and who have become prefect renegades have found it very convenient after having been in wilderness, to use a favourite phrase of the Premier, so often said——

Mr. LALIT CHANDRA DAS: On a point of order, Sir. It is not relevant to the subject under discussion.

Khan Sahib ABUL QUASEM: It is relevant to the subject. Have patience to hear these unpleasant things.

Mr. LALIT CHANDRA DAS: Sir, I want a ruling from the Chair to my point of order. My submission is that in the course of his speech Khan Sahib Abul Quasem is introducing irrelevant matter and so he is out of order.

Khan Sahib ABUL QUASEM: Sir, I am not at all irrelevant. My submission is that the members of the Congress are opposed to, as is known to the world at large, the principle of nomination and appointment by Government and it is a pernicious principle and should be killed and scotched. But now they are supporting the Government in measures which they hated. Sir, the time has come when the country has got a right to decide whether this Government should extend the principle of nomination. There is no reason why the country at large should not be given an opportunity to consider this matter and that is why we are in favour of circulating it for eliciting public opinion.

Khan Bahadur Naziruddin Ahmad may adduce any argument that suits his purpose, but the fact remains that the attitude of the present Government is that whenever any official Bill is brought before the House, in spite of it being necessary to circulate it for eliciting public opinion, it is always thought unnecessary to do so; but in case of non-official Bills it is just otherwise—the deliberate attitude of the present Government is to send them into circulation for eliciting public opinion, even though on the face of it they do not require such circulation—the only response that we get from Government in the case of a non-official Bill is that it is to be sent for circulation for eliciting public opinion—not once or twice but in some cases thrice, as it suits their purpose. They cannot make up their mind about them. In the case of a non-official Bill Khan Bahadur supports circulation—as he always supports the Government in power—and on the present occasion he thinks that the Bill should not be circulated. He blows hot and cold at short intervals. But we on this side of the House think it essential that this Bill should be circulated for eliciting public opinion.

Then, Sir, we find that in clause 2 of the Bill women are being given the privilege of sitting on the central committee and that these women will be selected by the Government. We believe, Sir, there also the procedure of nomination and appointment of women is quite unnecessary—why should not there be a separate electorate for women and why should not women elect their own representatives—why should they have to depend on the choice of males? Why should Government appoint or nominate a particular female according to their choice to the committee? These are the questions which should be decided. So we think that in fairness to the women they should be allowed to elect their own representatives. Then, Sir, my Scheduled Caste friends have been offered a very high temptation in that they have been told that they will get nominations to these boards. I do not know whether there is any Scheduled Castes representative here. I find there is one in the House but he has been returned on Congress ticket and who, as my honourable friend Mr. Hamidul Huq Chowdhury has said, is a very able man. There is no doubt about it and I have also great pleasure in bearing testimony to this fact. In the old Council we were fellow members. Well, he cannot represent his community fearlessly, independently because he has to please the powers who have given him a seat in this House. So, I cannot appeal to him. Sir, the Scheduled Castes are to be given increased representation in these bodies. It is only fair and proper

that they should be allowed to have a free hand to choose their own representatives. Government should not interfere in the selection of their representatives. The Scheduled Castes require that their true and genuine representatives are returned to these bodies. If real concession is to be given to them, they should be given liberty to elect, their own representatives who will be the custodians of their interests in these bodies. The real principle, the vital principle involved in this Bill is that the principle of nomination instead of being checked and curtailed is going to be extended and therefore the country has a right to express its opinion on this measure which the Government has proposed. Therefore, I submit that there are very convincing reasons in favour of Khan Bahadur Muazzamuddin Hosain's amendment being accepted.

Mr. LALIT CHANDRA DAS: Mr. Deputy President, Sir, yesterday my honourable friend Mr. Ross described my friend Khan Sahib Abul Quasem as a roaring lion. To-day he is roaring over the Bengal Congress. But, Sir, the Bengal Congress has survived many attacks made by persons of greater eminence than Khan Sahib Abul Quasem and it hopes to survive even to-day. (Sir BIJOY PRASAD SINGH ROY: Sir, is there any representative of the Bengal Congress here? Mr. NARESH NATH MOOKERJEE: Yes, don't you see? Mr. SACHINDRA NARAYAN SANYAL: Do you represent the European Group? Sir BIJOY PRASAD SINGH ROY: I do not represent anybody.) Well, Sir, to come to the point with respect to the motion of my friend Khan Bahadur Muazzamuddin Hosain regarding the circulation of this Bill for eliciting public opinion thereon. It would appear that his lieutenants—Mr. Nur Ahmed and Khan Sahib Abul Quasem—are not really true believers in this motion (Khan Bahadur NAZIRUDDIN AHMAD: They have never been.) As a matter of fact, they have tabled two motions in relation to this Bill and one of these two motions wants to refer the Bill to a Select Committee. Sir, I do not say that they are not entitled to speak on the motion for circulation; they can do so but what they really do believe is that this Bill is not a fit Bill to go in for circulation. They really think that this Bill should go to a Select Committee where a scrutiny can be held with respect to every clause in the Bill and that the amendments suggested by the Select Committee would be sufficient.

Now, Sir, with regard to the present Bill, it must be admitted that it is an urgent measure. This Bill was before the public for a long time. Nominations are proposed to be given to three sections of the public, namely, to women, Scheduled Castes and the areas where the local boards do not exist. So far as the areas where the local boards do exist, arrangements have been made for election and I do not think there can be any objection with respect to this. The arrangement is that where the local boards do exist, members are to be elected by the union boards and seats have been allotted. Therefore, on this particular point I think there can be no objection from the Opposition. With respect to the women, two seats have been allotted to them. I think, Sir, there is no objection even with respect to that. The only objection that has been raised by the Opposition

is with respect to the Scheduled Castes representation. Now, Sir, not that the Congres is a supporter of the principle of nomination—nothing of the sort. With regard to the Congress, it must be said that they are against representation of special interests, they have always fought for joint electorate. They are always for representation of the people by particular parties or by votes. With respect to the question of nomination, although they are not for it, they had to consider the question from another standpoint. What really the Scheduled Castes people do want? They have got their representative here, although the number is one. But in the Assembly there are 30 gentlemen. This Bill came out of the Assembly and I can say this, from the very fact that this has come out of the Assembly, it may well be taken that this point of nomination was accepted by the representatives of the Scheduled Castes there. Individually I say, this point cannot be raised here. If this Bill goes to the Select Committee at all, there they will have an opportunity of examining the case along with the representative of the Scheduled Castes. If the Bill is not sent to the Select Committee, the whole House will look into the provisions of nomination. I, therefore, do not see any ground why this Bill should be circulated. I oppose the motion.

Mr. DEPUTY PRESIDENT: The question before the House is: that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, be circulated for eliciting opinion thereon by the 23rd December, 1942.

The question was put and a division called with the following result:

AYES—11.

Ahmed, Mr. Mesbahuddin.	Hossain, Mr. Latafat.
Ahmed, Mr. Nur.	Molla, Khan Sahib Subidali.
Aziz, Khan Sahib Abdul.	Momin, Begum Hamida.
Chowdhury, Mr. Hamidul Huq.	Quasem, Khan Sahib Abul.
Hosain, Khan Bahadur Saiyed Muazzamuddin.	Singh Roy, Sir Bijoy Prasad.
	Talukdar, Dr. Kasiruddin.

NOES—22.

Ahmad, Khan Bahadur Naziruddin.	McFarlane, Mr. J.
Barua, Mr. D. L.	Mookerjee, Mr. Naresh Nath.
Chowdhury, Mr. Moazzemali.	Nimmo, Mr. T. B.
Chowdhury, Mr. Khorshed Alam.	Rashid, Khan Bahadur Kazi Abdur.
Cohen, Mr. D. J.	Ray, Rai Sahib J. N.
Das, Mr. L. C.	Ray, Mr. Nagendra Narayan.
D'Rozario, Mrs. K.	Ross, Mr. J. B.
Kabir, Mr. Humayun.	Roy, Mr. Amulyadhone.
Karim, The Hon'ble Khan Bahadur M. Abdul.	Roy, Rai Bahadur Radhica Bhusan.
Lamb, Sir T.	Sanyal, Mr. S. N.
Maitra, Rai Bahadur Brojendra Mohan.	Sinha, Raja Bahadur B. N.

Mr. DEPUTY PRESIDENT: Order, order. The House has divided. For the amendment—11; against the amendment—22; therefore, the amendment is negatived.

Mr. NUR AHMED: Sir, I beg to move that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, be circulated for the purpose of eliciting opinion thereon by the 16th November, 1942.

Sir, in moving this motion for circulation, with your permission I wish to make a few observations. Though a simple and innocent-looking Bill, it raises a very vital and important question regarding the future of primary education in Bengal. In this amending Bill, very vital questions of principle are involved. One is the extension of the nomination system. This principle of nomination has been condemned everywhere. This amending Bill seeks to increase the number of nominated members both on the Central Primary Education Committee and on the district school boards. Sir, it is a new innovation which requires consideration by the public——

Mr. HUMAYUN KABIR: On a point of order, Sir. Just now a motion for circulation was debated upon after which it has been thrown out by the House. This motion is almost exactly the same as the last one: only there is a slight difference in date. The main argument has already been advanced and the House, I submit, has decided against circulation. Therefore, unless any new grounds are brought forward, I think the rules prevent any repetition of the old arguments. In these circumstances, I ask your ruling, Sir, if this motion can be considered at all.

Khan Bahadur NAZIRUDDIN AHMAD: On this point of order I should simply say that new arguments should be advanced and the debate should be confined only to the variation of dates.

Mr. DEPUTY PRESIDENT: I am in full agreement with Khan Bahadur Naziruddin Ahmad so far as his suggestion regarding variation of dates is concerned. I was about to ask the Leader of the Opposition if they would press this amendment at all. Both the amendments are of the same nature except the variation in respect of dates. (Mr. MESBAHUDDIN AHMED: Sir, the period is shorter.) Order, order. There should not be any disturbance when the Chair speaks. If the Opposition press this motion, I cannot stop them; but the debate will have to be confined only to the point of the variation in regard to dates.

Mr. NUR AHMED: Sir, my motion is for eliciting public opinion on this Bill. I have moved that the opinion must be gathered within a shorter time, i.e., by 15th November, 1942. I shall confine my arguments to the main principles, to the main provisions of the Bill. This Bill, as I have said, wants to increase the number of nominations——

Mr. HUMAYUN KABIR: On a point of order, Sir. I believe you have just now ruled that the speech should be confined only to the dates and no discussion on general principles should be allowed.

Mr. HAMIDUL HUQ CHOWDHURY: But he is coming to the dates.

Mr. NUR AHMED: Sir, the main provisions of the Bill want to increase the number of nominated members and thus officialise the control——

Mr. DEPUTY PRESIDENT: Order, order. The honourable member should only justify his amendment so far as the dates are concerned.

Mr. NUR AHMED: Sir, the Government want the Bill to be passed hurriedly. So, I have provided a shorter time—by 15th of November, 1942, I have wanted the opinion to be obtained. In the meantime, I think there is no fear of invasion by Japan. A very vital question is involved in this Bill. (Mr. J. B. Ross: There is one vital question and that is date.) And what is the main principle of the Bill and how it will affect the constitution of the boards?

Mr. DEPUTY PRESIDENT: Order, order. You are simply to justify your amendment by telling the House how the variation of dates will help you.

Mr. NUR AHMED: I have already stated, Sir, why I have put down a shorter date. There is a reason for shortening the date, as the Hon'ble Minister in charge wanted to get the Bill passed very soon. Regarding the argument that all the school boards are not working, I think that is no reason. School boards have been constituted since 1932. There cannot be any objection to this motion for circulation. With these few words, I move my amendment.

Mr. DEPUTY PRESIDENT: Amendment moved that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, as passed by the Assembly, be circulated for the purpose of eliciting opinion thereon by the 15th November, 1942.

Mr. LALIT CHANDRA DAS: Sir, I rise to oppose the motion on the ground that the House has expressed its opinion on a similar motion moved by my friend Khan Bahadur Muazzamuddin Hosain. I thought he would say that he consulted an astrologer that it was a more auspicious date. The reason he has advanced is so unconvincing that we cannot accede to his request for circulation.

Mr. DEPUTY PRESIDENT: The question before the House is that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, as passed by the Assembly, be circulated for the purpose of eliciting opinion thereon by the 15th November, 1942.

(The amendment was negatived.)

Khan Sahib ABUL QUASEM: Sir, I beg to move that the Bill be referred to a Select Committee consisting of—

(1) The Hon'ble Khan Bahadur M. Abdul Karim, Minister in charge of the Education Department,

(2) Khan Bahadur Ataur Rahman,

(3) Mr. Humayun Kabir,

(4) Khan Bahadur Naziruddin Ahmad,

(5) Mr. Amulyadhone Roy,
(6) Rai Radhica Bhusan Roy Bahadur,
(7) Mr. W. B. G. Laidlaw,
(8) Dr. Kasiruddin Talukdar,
(9) Mr. Mesbahuddin Ahmed,
(10) Mr. Nur Ahmed, and
(11) the mover,

with instructions to submit their report by the 31st January, 1943, and the number of members whose presence shall be necessary to constitute a quorum shall be four.

Mr. HUMAYUN KABIR: I rise on a point of order. I believe it was laid down that in forming a Select Committee the respective strength of different parties would have to be taken into consideration. On that basis, the Opposition with its present strength is entitled only to two members, or at most to three members; two normally, but at most three. But I find that on this Select Committee the Opposition has given itself four members though it constitutes less than one-fifth of the House. In these circumstances, I think this motion will not be in order.

Mr. SACHINDRA NARAYAN SANYAL: Has the honourable member taken the consent of all the members whom he has included to serve on the Select Committee?

Mr. DEPUTY PRESIDENT: Order, order; will the Khan Bahadur please let us know if he has obtained the consent of the members whom he wants to serve on the committee?

Mr. MESBAHUDDIN AHMED: Sir, I went round and took the consent of the Leader of the European party. I also went to the Raja Bahadur of Nashipur and to Mr. Naresh Nath Mookerjee and I have got their consent in writing for the members of their respective parties.

Mr. SACHINDRA NARAYAN SANYAL: You took the consent of the leaders only and not of the members?

Mr. NARESH NATH MOOKERJEE: The question raised by Mr. Kabir is whether all the parties have been properly represented.

Mr. HAMIDUL HUQ CHOWDHURY: The Congress party is out——

Mr. DEPUTY PRESIDENT: Do I understand Mr. Mesbahuddin to say that he has obtained the consent of all the members proposed for the Select Committee from their leaders only?

Mr. MESBAHUDDIN AHMED: Yes, Sir, I have already informed you that I have obtained the necessary consent; the signatures of the members are also with me and I can show them to the Chair if it desires.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, there is an arrangement by which the party leaders can decide this point. As regards Mr. Kabir's point of order regarding the number of members that can serve on a Select Committee from the side of the Opposition, having regard to the fact that the Congress Party is not attending, advantage cannot be taken of that fact by the other side to get the share that would fall to them; rather it ought to come to our side as the official Opposition. Or, if calculation is to be made without them, it will be found that we are a little less than one-third——

Mr. MESBAHUDDIN AHMED: No! No! We are fifteen in a House of 65.

Mr. NARESH NATH MOOKERJEE: Less than that; your figures are all wrong.

Mr. MESBAHUDDIN AHMED: Sir, I had consulted you over this ratio question if you remember, yesterday evening.

Mr. DEPUTY PRESIDENT: Mr. Kabir, is it your contention that the Opposition is over-represented?

Mr. HUMAYUN KABIR: Yes, Sir, that is the point that I raised. The Hon'ble Mr. President laid down that the strength of the different parties in this House should be proportionately reflected in constituting the Select Committees: and in view of that ruling, this Select Committee is not valid.

Khan Bahadur NAZIRUDDIN AHMAD: May I draw your kind attention to this question of number? I find from the official list that the number of members of the Opposition is only 13—i.e., less than one-fifth.

Mr. DEPUTY PRESIDENT: When was the list prepared?

Mr. MESBAHUDDIN AHMED: It is an antiquated list.

Khan Bahadur NAZIRUDDIN AHMAD: I do not think so. On that basis the Opposition is only entitled to one-fifth of the membership of the Select Committee at the most.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I think the Council Office must have got a correct list from which it will be seen that we are at least 15, if not 16.

Khan Bahadur NAZIRUDDIN AHMAD: That is imaginary.

Mr. HUMAYUN KABIR: Even if you are 16, you are entitled at most to four.

Khan Bahadur NAZIRUDDIN AHMAD: But on their actual strength the Opposition is entitled to two, or at best to two and three-fourths.

Mr. DEPUTY PRESIDENT: The latest list shows that the total strength of the Muslim League Party is 13——

Mr. MESBAHUDDIN AHMED: Sir, that is wrong——

Mr. DEPUTY PRESIDENT: Order, order, and since then it has been noticed that two of the members who were shown in the Progressive Coalition Group list were sitting with the Muslim League Group. But they have not sent any official intimation that they have joined the Muslim League Group. In the absence of any such official record, I am of opinion that the total strength of the Muslim League Group in this House should be taken as 13.

Mr. MESBAHUDDIN AHMED: What about the——

Mr. DEPUTY PRESIDENT: Order, order. It would be courteous on the part of the honourable member if he refrains from speaking when the Chair is on its legs. So, on the strength of this number, I think the Muslim League is entitled to four seats.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, on a point of information——

Mr. LALIT CHANDRA DAS: Leaving those two members aside, our group is entitled to more members——

Mr. HUMAYUN KABIR: Sir, I could not catch your last word. If the number of the Muslim League Group is 13—and even if it is 15—even then they are one-fourth of the total number, and in this view of the case, they are not entitled to more than three seats on Select Committees. As I could not catch your last word, may I know what is your decision?

Khan Sahib ABUL QUASEM: On a point of order, Sir. After you have given your ruling, is it permissible for any member again to question it?

Mr. DEPUTY PRESIDENT: That was not exactly my ruling, and as a result of actual calculation if it is found that there is a mistake, then it is liable to be rectified.

Mr. MESBAHUDDIN AHMED: On a point of order, Sir——

Mr. DEPUTY PRESIDENT: There is nothing before the House now and you cannot rise on a point of order.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On a point of information, Sir. I received a letter from your office asking me to report whether there is any alteration or addition to be made in the list of my group. I replied that two or three members are to be added and I informed your department that reference should be made to them as to which group they belong—to find out whether they belong to the Muslim League. May I know whether any reply has been received from them? I think, Sir, their names ought to be on the new list.

Mr. DEPUTY PRESIDENT: I am sending the latest list to you for verification.

Mr. NARESH NATH MOOKERJEE: Even assuming that the Muslim League Group have 12 or 15 members, they are not entitled to more than 3 members on the committee, because their strength is one-fourth of the total number. So, I do not see how they can claim four seats.

Mr. MESBAHUDDIN AHMED: If these two members were not members of the Muslim League, then why they will sit here? The name cards of those honourable members are placed in our benches.

Mr. NARESH NATH MOOKERJEE: Assuming that they are your supporters, the total comes to 15 and in a Select Committee of 11, you are entitled to 1/4 of 11, which is never more than 3, to be more exact, less than 3.

Mr. HAMIDUL HUQ CHOWDHURY: But there are some absentee Congress members. Who will take advantage of that fact? Certainly, the supporters of Government cannot claim them, because they are already in a great majority.

Mr. DEPUTY PRESIDENT: Order, order. As regards the preparation of the list of members showing their party affiliations, it is prepared on the basis of the information supplied by the members concerned. Therefore, according to the information that has been received in the office it appears that the total strength of the Muslim League is 13. Now as regards the contention of Mr. Hamidul Huq Chowdhury that the Congress party is not attending this session and if any advantage is to be enjoyed by any party of their absence they should not be deprived. Well, I think Mr. Chowdhury's contention is reasonable. So, considering all these circumstances I hold that the Muslim League party is entitled to three seats in a Select Committee of 11 members.

Khan Bahadur NAZIRUDDIN AHMAD: So, in view of your ruling, this motion is out of order.

Khan Sahib ABUL QUASEM: Sir, may I have your permission to bring to your notice one fact which has already been mentioned by my friend Mr. Mesbahuddin Ahmed and it is this that these two members certainly

have intimated to the office that they have joined the Muslim League party and following that intimation the office has placed here on our benches the printed name-cards of those two honourable members. So, I would request you to take this fact into your kind consideration when you decide the number of members we shall be entitled to in a Select Committee.

Mr. DEPUTY PRESIDENT: Order, order. As regards the point raised by Khan Sahib Abul Quasem, at the present moment I cannot say who is responsible for placing these two name-cards there. In the absence of any information from the members themselves, I cannot take any official cognizance as to their party affiliations and in view of the opinion as regards the number which the Muslim League Party is entitled to have in the Select Committee, I have no other alternative but to rule the motion of Khan Sahib Abul Quasem as out of order.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: On a point of information, Sir. Are we to understand that the replies to the letters to the party leaders are not to be attended to? Then why these letters are addressed? I was asked to inform the office and I accordingly did but those were not attended to. These letters should not be issued. That is my submission.

Mr. DEPUTY PRESIDENT: I have got to inform that letters are not issued to the party leaders only but letters are also issued individually to the members concerned and I have already stated that if the members themselves do not respond to the enquiry made from the office——

Mr. MESBAHUDDIN AHMED: For future guidance may we have your ruling as to how many seats each of the parties are entitled to in a Select Committee?

Mr. DEPUTY PRESIDENT: No ruling is required. There is a definite rule. There would be proportional representation from each group.

Mr. NARESH NATH MOOKERJEE: May I know if Mr. Mesbahuddin Ahmed consulted the leader of the parties.

Mr. MESBAHUDDIN AHMED: You were pleased to see the list of names of the members of the Select Committee and said, "I think it is all right".

Mr. DEPUTY PRESIDENT: Order, order. I think Mr. Mesbahuddin Ahmed is labouring under a misapprehension. When the list was shown to me I told him that as a presiding officer I have nothing to do with this. I neither approve it nor disapprove it. There is another misconception under which Mr. Mesbahuddin Ahmed seems to have been labouring. The motion has not been ruled out of order because of the fact that the consent of the members whose names have been suggested, was not obtained. But it has been ruled out of order because of the fact that there has been over-representation on the part of the Muslim League Party.

Mr. MESBAHUDDIN AHMED: That is why I want you, Sir, to fix the number of each group or party entitled to sit on a Select Committee.

Mr. DEPUTY PRESIDENT: I have already given you the number: the Opposition is entitled to not more than three seats.

Mr. MESBAHUDDIN AHMED: Then what about the European group?

Mr. NARESH NATH MOOKERJEE: Mr. Ross will be able to tell you that.

Mr. MESBAHUDDIN AHMED: Can I not get this information from the Chair? Shall we have to go round to all the parties and enquire about their proportion? Can we not know their number from before—How are we going to decide when we are going to form the personnel of a Select Committee?

Mr. DEPUTY PRESIDENT: According to rule—as I have already said.

Mr. HAMIDUL HUQ CHOWDHURY: There is no rule. So far as our rules on the subject are concerned, they provide that such and such a proportion must be represented on the Select Committee. It is rather in the nature of a convention.

Mr. NARESH NATH MOOKERJEE: Sir, the honourable member is questioning the decision of the Chair. There is no doubt that according to the rule the motion is out of order.

Mr. DEPUTY PRESIDENT: Order, order. I may refer Mr. Hamidul Huq Chowdhury to the rules. I am referring to rule 56(2), which says:—The Minister in charge of the Department to which a Bill relates, the member who introduced the Bill and the other members of the Select Committee shall be named as members in the motion proposing the appointment of the committee in such a manner as to represent, as far as possible, the different parties in the Council.

Mr. HAMIDUL HUQ CHOWDHURY: But Sir, there are the words "as far as possible".

Mr. HUMAYUN KABIR: Yes, that is to avoid a fraction: we cannot have three-fourths of Mr. Mesbahuddin Ahmed!

Mr. MESBAHUDDIN AHMED: There are so many groups in this House that it is very difficult to bear their number in mind.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, the Opposition has itself invited the trouble. The Leader of the Opposition opposed my motion the other day inviting a ruling from the Chair that my motion was out of order, for the reason that the Opposition was not properly represented on my Select Committee. It does not now lie in the mouth of the Opposition

to turn round and say that they will take a larger number of members on the Select Committee. Sir, let my honourable friends be consistent. We thought nothing of their proposals in respect of Select Committees before this and we did not think it worth our while to raise similar objections before. Really, they are breaking all records in this House. The Opposition has courted all this trouble by raising objections against our committees and now they are going against their own contention.

Khan Sahib ABUL QUASEM: Well, "consistency is the hobgoblin of foolish minds", as a great man has said.

Khan Bahadur NAZIRUDDIN AHMAD: But not in respect of first principles in the Legislature.

Mr. DEPUTY PRESIDENT: Order, order. Khan Bahadur, are you going to move the next item?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Yes, Sir, but at the outset I should say——

Mr. NARESH NATH MOOKERJEE: On a point of order, Sir, I find that in the Select Committee the Moslem members on this side of the House have not been adequately represented, and as such it does great injustice to this side of the House, because it is an important Bill and very important issues are involved in it. I submit, that here again the Sleect Committee is not acceptable to this side of the house.

Mr. DEPUTY PRESIDENT: Which group you are referring to?

Mr. NARESH NATH MOOKERJEE: The Moslem members on this side of the House, namely, the Coalition Party, and as such it is unacceptable to us.

Mr. HAMIDUL HUQ CHOWDHURY: The ex-Muslim League members of the Progressive Coalition Party have lost their identity.

Mr. NARESH NATH MOOKERJEE: That may be your opinion.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I have taken great care to give proportionate seats to the different parties in the House and if there is any mistake I hope the honourable members on the other side will be pleased to point it out to me——

Mr. DEPUTY PRESIDENT: Order, order. Khan Bahadur you move your amendment.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I beg to move that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, be referred to a Select Committee consisting of—

(1) The Hon'ble Khan Bahadur M. Abdul Karim, Minister in charge of the Education Department,

(2) Khan Bahadur Naziruddin Ahmad,

(3) Rai Bahadur Keshab Chandra Banerjee,

(4) Mr. Sachindra Narayan Sanyal,

(5) Mr. Amulyadhone Roy,

(6) Mr. Lalit Chandra Das,

(7) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,

(8) Mr. R. W. N. Ferguson,

(9) Mr. Nur Ahmed,

(10) Khan Sahib Abul Quasem, and

(11) the mover,

with instructions to submit their report by the 23rd December, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Sir, the motion for circulation has failed and in that connection arguments were advanced why it was necessary to send the Bill for eliciting public opinion. The present amendment wants the Bill to be sent to Select-Committee which should consider the very vital problem as to whether the principle of nomination can be allowed to be increased in a self-governing institution like this. The Select Committee will probably be able to change the nomination system of the Scheduled Castes and put it on election basis. So I think it will be a good thing if the Bill is referred to a Select Committee. The members of all parties could then put their heads together and find some means of giving representation to the Scheduled Castes on election basis. For example, they may hold that the two Scheduled Castes members should be elected by the members of the provincial Legislature. If some such modification is made, then the Bill will be more acceptable not only to the members of the House but to the public at large. Sir, I am always in favour of the abolition of the nomination system altogether. So I think it is very necessary that this Bill should go to a Select Committee which should decide the matter. In consequence of the abolition of local boards it has become necessary to take in some additional members from some other electorate to fill up the vacancies caused. But, Sir, there are district boards which are now being superseded —there is provision for members from district boards—what will happen in such cases? There is no provision for meeting such a contingency. It appears that the Ministers have not considered this point. Now, Sir, in these days of supersession and suppression, it is very necessary that this point also should be considered as to what should be done when a district board on the school board should in such a case be provided? These are the points which require consideration in the Select Committee. Therefore, Sir, the Bill should be sent to a Select Committee to consider these matters carefully. With these words, I commend my amendment to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Amendment moved that that the Bill be referred to a Select Committee consisting of—

(1) The Hon'ble Khan Bahadur M. Abdul Karim, Minister in charge of the Education Department,

(2) Khan Bahadur Naziruddin Ahmad,

(3) Rai Bahadur Keshab Chandra Banerjee,

(4) Mr. Sachindra Narayan Sanyal,

(5) Mr. Amulyadhone Roy,

(6) Mr. Lalit Chandra Das,

(7) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,

(8) Mr. R. W. N. Ferguson,

(9) Mr. Nur Ahmed,

(10) Khan Sahib Abul Quasem, and

(11) the mover,

with instructions to submit their report by the 23rd December, 1942, and that the number of members whose presence shall be necessary to constitute quorum shall be four.

Mr. HAMIDUL HUQ CHOWDHURY: On a point of privilege, Sir. We have just now received a programme of business when our business has been half done. This sort of arrangement is causing us great inconvenience. Government may be moved in this matter.

Mr. DEPUTY PRESIDENT: Government are now following a novel procedure. They are not sending timely information as to what business is to be taken up every day. They have decided that the programme will be distributed inside the Chamber. Perhaps the House will remember that on the last occasion also I asked the Leader of the House to announce what business would be taken up the next day. So far as my information goes, our office is not to be blamed for this. In fact, we have not yet received any information as to what business will be taken up tomorrow.

The Hon'ble Khan Bahadur M. ABDUL KARIM: The House could have known at today's sitting what business would be taken up tomorrow. As a matter of fact, last evening I gave the House to understand that the business that was going on yesterday would be continued today, and again I am going to announce that the business remaining from today will be continued tomorrow. I regret to have to say that although two days had been allotted for discussion of the Chief Minister's statement that opportunity, for all practical purposes, has not been availed of and as a matter of fact the time of the House is being wasted by decussing other matters not so very important. However, I may mention in this connection that tomorrow is the last day on which further discussion on the Premier's statement will be allowed. I give this timely information to the House.

Mr. HAMIDUL HUQ CHOWDHURY: The Hon'ble Minister should not say that we have wasted the time of the House. In fact, we are prepared not to speak anything tomorrow. Let them finish everything to-day. But at the same time we do protest that our right about the discussion of the Premier's statement is sought to be taken away by Government, as if we are responsible for all the delay. Government gave precedence to this Bengal (Rural) Primary Education Bill over the Premier's statement. We have not brought any non-official Bills or resolutions. Government have utilised these days for Primary Education Bill and they are now taking away a day which we ought to have got for the purpose of discussing the Premier's statement and on which there has not been any proper discussion at all.

The Hon'ble Khan Bahadur M. ABDUL KARIM: As a member of Government and at the same time as the Leader of the House, I am partial. As a matter of fact, I wanted to give this Hon'ble House every opportunity of a full discussion of the Premier's statement. As I have said, I regret to find that this House is not availing of this opportunity and is frittering away the very valuable time by taking up other matters.

Khan Sahib ABUL QUASEM: Sir, we object to the phrase used. We have moved our motion impelled by our sense of duty. That is not frittering away our time. I think the Hon'ble Minister should withdraw the remark.

The Hon'ble Khan Bahadur M. ABDUL KARIM: If you are offended, then I withdraw it.

Mr. DEPUTY PRESIDENT: The question before the House is that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, as passed by the Assembly, be referred to a Select Committee consisting of—

(1) The Hon'ble Khan Bahadur M. Abdul Karim, Minister in charge of the Education Department,

(2) Khan Bahadur Naziruddin Ahmad,

(3) Rai Bahadur Keshab Chandra Banerjee,

(4) Mr. Sachindra Narayan Sanyal,

(5) Mr. Amulya Dhone Roy,

(6) Mr. Lalit Chandra Das,

(7) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,

(8) Mr. R. W. N. Furguson,

(9) Mr. Nur Ahmed,

(10) Khan Sahib Abul Quasem, and

(11) the mover,

with instructions to submit their report by the 23rd December, 1942, and that the number of members whose presence shall be necessary to constitute a quorum shall be four.

Khan Sahib ABUL QUASEM: Sir, I am anxious to speak and I think in all fairness you should give us an opportunity to speak. I am anxious to speak because my substantive motion was ruled out of order.

Mr. DEPUTY PRESIDENT: When I put this motion before the House, no honourable member rose.

Mr. MESBAHUDDIN AHMED: There were three speakers from this side of the House.

Mr. HAMIDUL HUQ CHOWDHURY: I did not think, Sir, that after we have passed the appointed hour, the House will continue for any length of time, particularly when we are observing the Ramzan fast. I submit, Sir, the House should adjourn.

Mr. DEPUTY PRESIDENT: Let me put the motion before the House. As many as are of the same opinion will say Aye; those who are of the contrary opinion will say No. I think the "Noes" have it; the Noes have it.

As regards the point raised by the Leader of the Opposition that he made certain correspondence with the office as regards party strength, my attention has been drawn——

Mr. HAMIDUL HUQ CHOWDHURY: What about the division?

Mr. DEPUTY PRESIDENT: Order, order. I find that in reply to the letter of the Leader of the Opposition, two letters have been sent to the individual members, copies of which were sent to the Leader of the Opposition. So I think he has no ground for complaint.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Did they not send any reply?

Mr. HAMIDUL HUQ CHOWDHURY: What about the division?

Mr. DEPUTY PRESIDENT: I have already declared the result.

Mr. MESBAHUDDIN AHMED: Up till now, Sir, no declaration has been made.

Mr. NARESH NATH MOOKERJEE: No! no! The declaration has been already made.

Mr. LALIT CHANDRA DAS: On a point of order, Sir. So far as today's business is concerned, it has been finished. Under the rules some time should be given for sending in notices of amendments to the clauses of the Bill and the rule requires 7 days' time. But as it is a small Bill, I think one or two days' time should be given.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, the motion for consideration of the Bill has not yet been passed.

Mr. DEPUTY PRESIDENT: What do you mean? What is your opinion?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: My side of the House is of opinion that it has not been given an opportunity for calling a division, and therefore they think that an injustice has been done to them. But at any rate, the main motion has yet to be passed, though the Select Committee motions have been rejected—one ruled out of order and the other just now rejected. And yet the main motion is going to be put without giving any opportunity to the Opposition to speak on it?

Mr. DEPUTY PRESIDENT: The question before the House is that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, be taken into consideration.

Mr. MESBAHUDDIN AHMED: Sir, we have two or three members on this side to speak on this motion. You cannot deprive us of this opportunity.

Mr. NARESH NATH MOOKERJEE: You are obstructing, pure and simple.

Mr. HAMIDUL HUQ CHOWDHURY: Yes, that is our right. Everything is being taken away from our mouths and we are not allowed any opportunity to discuss the Bill.

Khan Bahadur NAZIRUDDIN AHMAD: When amendments are discussed the main motion and the amendments are both open to the House; the Opposition has missed its chance.

Mr. HUMAYUN KABIR: I entirely agree that the Opposition has missed its chance. It was within the rights of the Opposition to immediately rise in their places as soon as you, Sir, had declared the results in regard to the Select Committee motions, and make as many speeches as they liked on the motion for consideration. But they did not do so at the time and only when the Chair got up and put the original motion to the vote and started saying that those who were in favour of the motion, etc., etc., that this question was raised by the Leader of the Opposition that the motion should not be put to vote at that moment because there were several members on their side who wanted to speak. My submission is that the Opposition was perfectrly entitled to rise up in their places and make hundreds of speeches only after the Chair had announced the results of the Select Committee motion but after the Chair had begun putting the motion, to vote the Opposition had no further right.

Mr. HAMIDUL HUQ CHOWDHURY: I entirely agree with what Mr. Kabir has said just now. But as we found that the House had overstepped its time-limit and it was 4-30 p.m. we thought that the House was going to be adjourned. But as soon as the Chair began to read out the question but before he put it to the House, at that stage I requested his permission to be allowed to speak on the main motion and speak in proper time and not detain at a late hour of the day when we had not broken our fast. Therefore, Sir, I request that you may be pleased to adjourn the House now and give us an opportunity to speak on the main motion tomorrow.

Mr. DEPUTY PRESIDENT: Well, if the Opposition insists on speaking on the substantive motion, I cannot refuse their request. They will be given an opportunity the next day. The House now stands adjourned till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Thursday, the 1st October, 1942.

Members absent.

The following members were absent from the meeting held on the 30th September, 1942:—

(1) Mr. Kader Baksh.
(2) Rai Bahadur K. C. Banerjee.
(3) Rai Bahadur M. N. Bose.
(4) Mr. S. C. Chakraverti.
(5) Khan Bahadur Rezzaqul Haider Chowdhury.
(6) Mr. B. C. Datta.
(7) Mr. N. C. Datta.
(8) Mr. K. K. Datta.
(9) Khan Bahadur Alhadj Khwaja Mohd. Esmail.
(10) Mr. R. W. N. Ferguson.
(11) Mr. K. L. Goswami.
(12) Mr. Mohamed Hossain.
(13) Khan Bahadur Syed Mohd. Ghaziul Huq.
(14) Khan Bahadur Mohammed Asaf Khan.
(15) Maulana Muhammad Akram Khan.
(16) Mr. W. B. G. Laidlaw.
(17) Dr. R. K. Mookerjee.
(18) Mr. R. Pal Chowdhury.
(19) Khan Bahadur Muklesur Rahaman.
(20) Dr. K. S. Ray,
(21) Mr. B. K. Roy Chowdhury.
(22) Rai Sahib J. M. Sen.
(23) Khan Bahadur M. Shamsuzzoha.

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BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 8.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 1st October, 1942, at 2-15 p.m., being the eighth day of the Second Session of 1942, pursuant to section 62(2) (*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

Point of Information regarding discussion on Chief Minister's statement.

Mr. DEPUTY PRESIDENT: Order, order. There is one question on the Order Paper for today to be answered by the Hon'ble the Chief Minister. But I have got intimation to the effect that on account of ill-health he will not be able to attend the meeting today. Therefore, the question is passed over.

Mr. HAMIDUL HUQ CHOWDHURY: May I enquire whether further discussion on item No. 13 of the special motions tabled in connection with the Chief Minister's Statement will be resumed today?

Mr. DEPUTY PRESIDENT: I am coming to that.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Sir, yesterday I rose on a point of order with regard to the questions that have not been answered. Can I raise the same point today?

Mr. DEPUTY PRESIDENT: That was not a point of order. But what do you want to know?

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: It appears that since 1940-41 several questions have remained unanswered. It is the privilege of the House that questions tabled by the members of this House should be answered. As a matter of fact, so far as I remember, there was a ruling from the Chair to the effect that questions must be answered on the appointed day. If the answers are not ready by that time, it is for the Minister-in-charge to ask for further time. If a question is not answered in proper time, the utility of a question is gone. It is no use dragging the questions from month to month and year to year. May I have your ruling on this point?

Mr. DEPUTY PRESIDENT: I am fully conscious of the fact, as the Raja Bahadur of Nashipur has said, that it is a great privilege of the House that questions should be answered in proper time. I am exceedingly sorry that some questions remained unanswered for a long time. I would request the Hon'ble Leader of the House to look into the matter and see that questions are answered as soon as possible.

Mr. MESBAHUDDIN AHMED: On a point of information, Sir. We have been given to understand by the Leader of the House that today we will be given the opportunity of further discussing the motions arising out of the Chief Minister's statement. On account of other business, it could not be taken up yesterday. But it was definitely stated that the special motion would be taken up today——.

The Hon'ble Khan Bahadur M. ABDUL KARIM: But that was on the distinct understanding that the consideration of the Primary Education Bill would be finished yesterday.

Sir, may I ask the leaders of the different parties to give their opinion as to whether instead of taking the ordinary Non-Official Bills and resolutions, they would like to devote the whole of tomorrow's sitting to the discussion of the debate on the Chief Minister's statement. They may get a full day if they agree to this.

Mr. MESHBAHUDDIN AHMED: Sir, it is unfair to suggest that we should be deprived of the only non-official day.

Mr. DEPUTY PRESIDENT: I would like to have the opinion of the leaders of the different parties on this suggestion of the Leader of the House.

Khan Bahadur ATAUR RAHMAN: Sir, neither we can hear the Opposition members nor is the Leader of the House speaking audibly. We do not know what is going on in the House.

Mr. DEPUTY PRESIDENT: The Leader of the House wants to know whether instead of taking up non-official business tomorrow the House would like to go on with the discussion of the special motions on the Chief Minister's statement.

Mr. KRISHNA CHANDRA ROY CHOWDHURY: Sir, we on this side of the House agree to the proposal.

Sir BIJOY PRASAD SINGH ROY: May I suggest one thing? Let us discuss the matter amongst ourselves. If you will kindly give us 10 minutes to discuss this matter, we may come to a decision and we shall communicate our decision to you in due course.

Mr. DEPUTY PRESIDENT: Do you want me to suspend the business of the House for 10 minutes?

Sir BIJOY PRASAD SINGH ROY: Yes, Sir, because you cannot expect an offhand answer from us.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Sir, we have no objection if tomorrow is devoted entirely to discussion of the motions tabled in connection with the Premier's statement.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, my party have got several important non-official resolutions and Addresses to the Governor for discussion tomorrow.

Mr. DEPUTY PRESIDENT: What do you think of the suggestion of Sir Bijoy?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That will be better.

Mr. DEPUTY PRESIDENT: Is that the sense of the House?

Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Mr. DEPUTY PRESIDENT: I adjourn the House for 10 minutes to facilitate a discussion among the leaders of the different parties on this matter.

(On re-assembling after the short adjournment.)

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Mr. Deputy President, Sir, we have discussed amongst ourselves and we are agreeable to the proposal of the Leader of the House that tomorrow may be devoted entirely to the consideration of the special motions arising out of the Chief Minister's statement. But my party is definitely of opinion that the Chief Minister should be present.

Mr. DEPUTY PRESIDENT: May I take it that this is the consensus of opinion of the House? (Cries of yes, from all sections of the House.)

Mr. J. B. ROSS: Sir, we agree with the first part of the statement of the Leader of the Opposition that tomorrow should be devoted to the discussion of the Prime Minister's statement, but we would qualify his statement by saying that the motion which is now before the House should be discussed, because we understand that that will be replied to by another Minister. We are quite agreeable that any matter which relates to the Home Department, which is Prime Minister's portfolio, should stand over until he is present.

Mr. DEPUTY PRESIDENT: I hope the opinion of the Leader of the Opposition is not conditional. He simply desires that the Hon'ble the Chief Minister should be present at the time of the discussion on his statement. As all sections of the House seem to be in agreement with the suggestion made by the Leader of the House, I accept the same. But I hope it will not be made a precedent in future.

I am to announce that under rule 123 of the Bengal Legislative Council Procedure Rules, the Hon'ble the President has nominated Mr. W. B. G. Laidlaw to be a member on the Committee of Privileges in place of Mr. Moazzemali Chowdhury who has since tendered his resignation.

The House will now take up further consideration of the motion moved by the Hon'ble Khan Bahadur M. Abdul Karim that the Bengal (Rural) Primary Education (Amendment) Bill, 1942, as passed by the Assembly, be taken into consideration.

The Bengal (Rural) Primary Education (Amendment) Bill, 1942.

Mr. NUR AHMED: Sir, I rise to oppose the motion for consideration of the Bill. The present Bill which appears to be very simple contains provisions which alter the constitution of the existing District School Boards and the Central Committee. The existing Act was passed in 1930 in the teeth of vehement opposition and there was a long discussion over the constitution of the Central Committee and the district school boards. It was after a compromise that sections 4 and 6 of the existing Act were passed in their present form. Now, Sir, an alteration is proposed to be made in respect of these two sections. Section 4 of the existing Act says that there will be a Central Committee which will consist of the Director of Public Instruction as an *ex-officio* member; ten members to be elected by the district school boards, each division sending one Hindu and one Mussalman; and five members, two of whom would be from the depressed class to be nominated by the Government. As the section now stands in the existing Act, the Central Committee consists of five nominated members and one *ex-officio* member, that is, six members as against ten elected members. But in the amending Bill instead of five members nominated by Government, there will be seven. This virtually increases the number of nominated members from six to eight against ten elected members. In the existing Act there was a substantial majority of elected members but in the amending Bill there will be a very small majority of elected members. There is another very pernicious principle that has been enunciated in the amending Bill. There was no provision in the existing Act for election of the Chairman of the Central Committee and it was presumed that opportunity will be taken in this amending Bill to provide for his election by the members of the Central Board.

But Sir, by sub-clause (3) of clause 2 of the amending Bill the proposal is to make the Director of Public Instruction *ex-officio* Chairman for all times and to provide that the Secretary will be nominated for the first five years. The Central Board is a very important body. It will control

primary education for the whole province of Bengal. Sir, in these days of democracy, a proposal has been made to officialise primary education by the appointment of an official as the Chairman of the Central Committee. What will be the result of such a provision? The result will be that primary education will not have its full and unhampered growth in the future. It will be fully officialised if the Director of Public Instruction is made the Chairman of the Board. I am not against the appointment of any Government expert on the Central Committee; but the Director of Public Instruction who has no direct knowledge of primary education in the rural areas will not be suitable for its Chairmanship. It would be better rather if the Special Officer is made a member of this committee. Sir, this is one of the most objectionable features of this amending Bill. There is another objectionable feature of this Bill and that relates to the provision regarding the constitution of the district school boards. Sir, according to section 6 of the existing Act the school board is formed with 11 elected members and 8 nominated and *ex-officio* members. But this amending Bill provides that the number of nominated members will be increased and the result will be that their number will be 10 against 11 elected members. Thus, the elected majority will be reduced and this is most objectionable. I do not object to the representation of females and Scheduled Castes on the board. But that should be made by adding to the number of elected members of the district board and the Central Committee. As a matter of fact, I find from section 3 of the Bombay Primary Education Act, 1923, that there is a provision that the school district board will consist of 12 elected members including women and representatives of the depressed classes and four nominated members. That is the provision contained in the Bombay Act. The Punjab Primary Education Act which has been enacted very recently, provides for district school boards with all elected members. Sir, primary education is of vital importance to this province—primary education is the birth-right of every citizen. But in this matter, the present Government which call themselves progressive are taking a retrograde step—reactionary step. The old Government of 1930 could pass such Acts, as that Government was reactionary. But in 1942 it is regrettable if the popular Ministry which calls itself progressive, brings out such an amending Bill as the present one. It is a matter of great regret that such a Bill has been brought up by the Hon'ble Leader of the House. Personally speaking, I have got the highest regard for him and once he was known for his independent spirit and I do not know how he has been induced to pilot a retrograde measure like this. I think, Sir, he has been made a scape-goat and has been compelled to pilot this Bill. If this Bill is passed, primary education will be retarded at every stage.

Sir, we know how these officers of Government are retarding the growth of primary education, though they are appointed to help the spread of primary education. I know of instances where only on some technical grounds these officers of department are not according sanction to the schemes. Perhaps every honourable member knows that in the Chittagong Municipality we have introduced free compulsory primary education. Our

first scheme for compulsory free primary education was sanctioned after a period of 7 years. Our second scheme for free and compulsory primary education for girls was sanctioned after 5 years. That was also met with the same opposition. That is the attitude of Government towards these schemes. With all respect to the officers of the department, I beg to submit that without helping the cause of education they are simply retarding it.

On these grounds, Sir, I strongly oppose this motion for taking the Bill into consideration.

Mr. DEPUTY PRESIDENT: The question before the House is: that the Bengal (Rural) Primary Education (Amendment) Bill, 1942 (as passed by the Assembly), be taken into consideration.

(The motion was agreed to.)

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I may bring to your notice one thing that sufficient time should be given to the members for putting in their amendments to the clauses of the Bill. Sir, though this Bill apparently looks like a simple Bill, as a matter of fact it is not so. The members of my party have got as many as 30 or 40 amendments to move. Probably, it may be necessary to send in 100 amendments to this Bill. So, we may be given sufficient time for sending in amendments.

Mr. NARESH NATH MOOKERJEE: Sir, are we to take it that the agreement which was arrived at between the members of the Opposition and the Government in the other place is not binding on the Opposition here?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Time may be given up to Saturday for giving notices of amendments to the clauses of the Bill, so that the Second Reading of the Bill may be proceeded with from Monday next.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: That would mean too short a time. I think time should be given till Monday next for putting in notices of amendments.

Mr. HAMIDUL HUQ CHOWDHURY: Apart from the convenience or inconvenience of the members to put in amendments to the clauses within such a short time, I submit, Sir, that the rules do not give the Chair any option in this matter. Rule 80 makes special mention as regards the period of time to which the members would be entitled for putting in amendments to the clauses of the Bill, after the consideration motion is carried. The rule says: "the Bill shall be taken into consideration and the provisions of these rules regarding consideration of amendments to Bills (save that the period of notice of amendments shall be seven days) and subsequent procedure in regard to the passing of Bills originating in the Council shall

apply". That provides for a specific time to enable the members to put in amendments. It is specifically provided that so far as the question of time is concerned, it shall be 7 days. This is unqualified. This proviso governs all other provisions in regard to the tabling of amendments to the clauses of any Bill originating in the Council. I, therefore, submit, Sir, the rule does not give you any option. And this 7 days would have overlapped the period of 10 days which is provided for in section 77. But that has not come in because you were pleased to exercise your prerogative in reducing the period of notice in the case of the motion for consideration.

As regards the convenience of the members, I submit, Sir, even if it be held that you are inclined to reduce the period for giving notices of amendments to the clauses of the Bill, it should not be on this side of the week. It should not be before Monday. Tomorrow we are going to have a sitting at which very important things are going to be discussed. It would be inconvenient for us to divert our attention to thinking out amendments to the clauses of this Bill.

Mr. DEPUTY PRESIDENT: A point has been raised that in the case of a Bill coming from the Assembly no motion can be considered unless 7 days' notice is given. It has been argued that the words in rule 80 of the Bengal Legislative Council Procedure Rules, namely, "save that the period of notice for amendments shall be 7 days" support this view. This contention does not appear to be correct. Rule 80 specifically provides that in the case of Bills coming from the Assembly, the same rules regarding consideration of amendments shall apply, as in the case of Bills originating in the Council. There is only one exception, namely, that the general rule as laid down in rule 63 which requires ten days' notice to be given for amendments is modified by reducing it to 7 days. All other rules which apply in the case of amendments to Bills orginating in the Council apply and consequently rule 64 also applies. Rule 64 runs as follows:— "On an oral request made by a member at a meeting of the Council, the President, in his discretion may admit an amendment to a Bill under the consideration of the Council at shorter notice than that prescribed elsewhere in these rules, provided that the question to which such amendment relates shall not be taken into consideration on the day on which the amendment is admitted, unless the President directs otherwise."

It is clear, therefore, that the Chair has power to admit short-notice amendments even on an oral request made by a member on the floor of the Chamber and even allow such an amendment to be considered on the same day on which it is admitted. But when I give this ruling, I do not certainly mean——

Mr. MESBAHUDDIN AHMED: Is that your final ruling, Sir, for we have another point of view to press on you on this question.

Mr. DEPUTY PRESIDENT: I do not certainly mean that on each and every occasion the Chair should exercise this special right. I am rather of opinion that unless special circumstances arise for having recourse to

this special provision, this special power should not be exercised by the Chair if it causes inconvenience to the House. In the present case, therefore, before I decide the matter finally, I would like to have the opinion of the leaders of the different groups.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, before the different party leaders speak on this point, will you kindly permit me to point out that rule 64 has absolutely no application to the present case but that it refers only to what may be called "consequential amendments".

Mr. DEPUTY PRESIDENT: Order, order. It is expected that the honourable member is not ignorant of the elementary rule that there should not be any debate on the ruling of the Chair. If I find that that exercise of this special right causes any inconvenience to the House, then I should be the last person to exercise that special right.

Sir BIJOY PRASAD SINGH ROY: Sir, the suggestion is that the last date for putting in the amendments should be Monday instead of Saturday, a matter of only 48 hours. In view of this, I hope the Hon'ble the Leader of the House will please see his way to accept the suggestion. I think this will satisfy the Opposition.

Mr. DEPUTY PRESIDENT: May I take it that this is the consensus of opinion of this House?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I have got something to say on the matter. I oppose the suggestion. We have already heard that the Opposition is going to put in hundreds of amendments. If these amendments are received on Monday, then the Council will not have any time to consider them, as the House will have to be prorogued on the 8th October at the latest, the 9th and 10th being holidays. As a matter of fact, this matter has been before the public for about a year. It is a short Bill, besides. If the objection of the Opposition is that nomination should not find a place in the Bill but that it should be replaced by election, that women should not have a seat on the district school boards and that Scheduled Caste members should come in not by nomination but by election, we can easily understand what the possible amendments may be, and I do not think it is such an intricate matter that it will require more than 24 hours for the members of the Opposition to come to a decision. As a matter of fact, they have already come to a decision as to what amendments they are going to table. Therefore, I think that Saturday will give them ample time and will cause no inconvenience to the honourable members for putting in amendments to the clauses of the Bill.

Mr. LALIT CHANDRA DAS: So far as our party is concerned, we will not be inconvenienced if the date for submission of amendments is fixed for Saturday.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: I have already given my opinion. I have consulted my party and they are of opinion that a couple of days' time will be sufficient, as the Bill is a small one.

Mr. DEPUTY PRESIDENT: Will it suffice if amendments are received up to Saturday?

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Yes, Sir.

Mr. J. B. ROSS: I accept the views of the Leader of the House.

Sir BIJOY PRASAD SINGH ROY: Sir, so far as the leaders of the different groups are concerned, they are generally supporters of the Government. But it is the special privilege of the Opposition to put in any number of amendments they like. Therefore, I hope you will see that the Opposition is accommodated.

The Hon'ble Khan Bahadur M. ABDUL KARIM: In this connection, may I mention that the Chair may also receive amendments on the floor of the House on Monday, if the Opposition members are not able to fully consider the provisions of this Bill by Saturday.

Mr. DEPUTY PRESIDENT: I shall be very glad if this question can be settled by mutual agreement. But in case you cannot settle it amicably, I shall have to look to the convenience of each group of the House.

Khan Bahadur ATAUR RAHMAN: May I appeal to the Opposition to have a little sanity in this matter? The Bill has been passed in the Lower House, and if they accept Saturday as the time for putting in amendments to the clauses, it might be finished on Monday. In the Lower House it has already been passed on the basis of a compromise.

Mr. DEPUTY PRESIDENT: Amendments to the first three clauses will be received up to 3 p.m. on Saturday and the amendments in respect of the other clauses will be received up to 10 a.m. on Monday. The consideration of the Bill, clause by clause, will be taken up on Tuesday.

Sir BIJOY PRASAD SINGH ROY: That will be all right, Sir.

Mr. NARESH NATH MOOKERJEE: Sir, will the office please see that the list of amendments are made available to the members at least a day before?

Mr. DEPUTY PRESIDENT: The first set of amendments will be sent to the honourable members by post and will also be circulated to them in the Chamber. The same procedure will be followed in respect of the second set of amendments. I hope this will not be inconvenient to the honourable members.

Discussion of Special Motions regarding Chief Minister's Statement.

The House will now take up further discussion of the motions arising out of the general statement made by the Hon'ble the Chief Minister in the Council on the 17th September, 1942.

Alhadj Khan Bahadur Shaikh MUHAMMAD JAN: Sir, I had no desire to take part in this debate specially at this late stage, when everything has been said, and challenge and counter-challenge made with all the force at the command of the different speakers, but for the fact that the strong speeches which have been delivered and personal attacks made by some of my friends on the Opposition might give rise to a suspicion that the present Ministry is wilfully neglecting its duty in the matter of ameliorating the economic condition of the people of this province. In order to remove this wrong impression from the minds of the people, I wish to make a few remarks. It is true that the present Ministry have not done many things which were expected of them and that the high hopes entertained by the members of this side of the House have not been fully realised. But the failure on the part of the Ministry is not due to neglect of duty or want of sympathy towards the people but to difficult conditions prevailing in the country, specially in Bengal. As we all know, war is going on with the formidable enemy within the gate of India. Against this background, we must admit that the present Ministry are doing what is humanly possible. Sir, total stoppage of importation of rice, the staple food of the people of the province—Burma being now occupied by the Japanese—plus semi-military control over transportation, has made it difficult, if not impossible, to bring enough foodstuff in the country in time. Also the apathy of the Central Government to buy extra jute crop, internal dissessions, communal disharmony and on the top of all, Civil Disobedience Movement, are factors which cannot be overlooked in criticising the present Government. Sir, we must also look to the fact that the burden of the administration of the vast province of Bengal has fallen upon the shoulders of 9 persons who have to look after so many problems and therefore, they are unable to give their full attention to the work, which the importance of the work demands.

Sir, in my humble opinion the fact that the Opposition did not accept the motion of my honourable friend Mr. Humayun Kabir, making some concrete suggestion plus as many as 32 motions tabled by the Opposition, leads one to believe that the Opposition is opposing the Government for the sake of Opposition, and criticising every act of the Government for the sake of criticism.

Mr. HAMIDUL HUQ CHOWDHURY: Why do you support?

Alhadj Khan Bahadur Shaikh MUHAMMAD JAN: I support this Government because they are working under peculiarly difficult circumstances, and therefore, deserve encouragement at the hands of all the members of the House, if not congratulations. Sir, there is a feeling in some section of the House, and outside the House, that the present Ministry are showing lukewarm attitude towards the Civil Disobedience Movement initiated by the Congress and are not taking proper steps to suppress lawlessness prevailing in the province. Sir, it is doubtful if the Civil Disobedience Movement has been initiated by the Congress or has been forced on the country by the hasty action of the Government in arresting Congress leaders in dramatic circumstances at dead of night and in the early hours of the morning, a few hours after the passing of the much-criticised Congress resolution supported by not less than 2 lakhs of persons. It is for the future historians to decide whether this act is an instance of the folly of the Congress or of the Government of India, constituted as it is today by majority of Indian members. Whatever it might be, the present Government specially the Chief Minister made it clear that they deprecated the movement and that they were prepared to suppress lawlessness at all costs; because lawlessness was neither in the interest of the British Government nor in the interest of the Indian people. The Chief Minister also criticised the attitude of the Government of India in not settling with the Congress and other parties and forming a National Government, with the frankness which is characteristic of him, for which he was regarded by his former friends, now in Opposition, as the "Tiger of Bengal" and the "Lion of Islam". It is a fact which nobody can deny that the present Ministry headed by Mr. A. K. Fazlul Huq has saved Bengal from a major catastrophe and it has succeeded by tactful handling of the situation in preventing this mass movement from spreading in the interior of Bengal, as it has spread in other provinces; had the Government taken strong measures and adopted harsh steps, as has been suggested by some of my friends, political situation in Bengal would have been much worse than we actually find it today. In Bihar, Bombay, other places acts of sabotage and derailment of trains and throwing of bombs are matters of daily occurrence, but thank God, that is not so here in Bengal. While the Government is taking every possible step to suppress lawlessness, they are also trying to resolve the present deadlock and they are taking active steps to bring about union between the different communities and sections of the people of India, so that an honourable settlement may be arrived at with the British Government. (Mr. HAMIDUL HUQ CHOWDHURY: They are doing nothing of the kind.) That may be your opinion. But I think the House should congratulate the Chief Minister and Dr. Ssyamaprasad Mookerjee, who are taking all practical steps to resolve the present deadlock and have not contented themselves by criticising the Government or the Congress or both as some of us are doing here. Let me now offer a bit of advice to my European friends in Calcutta, some of whom are my personal friends. They

are not only straightforward in their business but also in their daily outlook on life including politics. They move with the march of time——

Khan Sahib ABUL QUASEM: On a point of order, Sir. Is the speaker relevant to the actual motion that is before the House?

Alhadj Khan Bahadur Shaikh MUHAMMAD JAN: Sir, I am just having a general discussion——

Mr. DEPUTY PRESIDENT: I was just going to draw the attention of the honourable member to this matter and I would request him to kindly confine his remarks to the motion under consideration and not digress over wider political questions.

Mr. LALIT CHANDRA DAS: On a matter of information, Sir. Will you kindly permit me to say that on another day during the discussion of this motion which referred to the acute economic crisis in this province Sir Bijoy Prasad Singh Roy was allowed to make a speech covering the whole of the statement of the Chief Minister, as he contended that his remarks had some near or distant connection with the economic crisis. Since that was allowed, I submit, Sir, that this honourable member may be allowed also.

Mr. DEPUTY PRESIDENT: All right, the honourable member may go on.

Alhadj Khan Bahadur Shaikh MUHAMMAD JAN: I always admired the European businessmen. But the speeches of some of the representatives of the European businessmen in the Central Legislature and in the Provincial Legislature have disappointed many of us and their opposition to national aspiration has alienated the feelings of Indian businessmen, commercial and labouring classes, as they are all united that a national Government should be formed immediately. This will be evident by the resolution passed by the different Chambers of Commerce representing all sections of the people except European businessmen—and also the resolution adopted by the All-India Trade Union Congress at Nagpur. I am afraid that alienation of the feelings of the Indian businessmen and the Indian labour may adversely affect the progress of the war in favour of the Allies and delay their victory which we all desire.

Sir, it is a great pity that European businessmen who have lived in Calcutta for a number of years and have made immense fortune by their labour and intelligence and some of whom have made India their home, are at present stubbornly supporting the policy of the British Government 5,000 miles away in order to suppress the national aspiration of this country. It is my honest conviction that those who are opposing reconciliation between India and England whether here or in England, on whatever ground it may be, and however highly placed they may be, they are neither friends of India

or England. They are hampering the war efforts, to say the least and so they are the enemy of the United Nations who are fighting the cause of Democracy—they are the enemy of civilisation which is at stake. Sir, I hope that saner counsel will prevail among the European businessmen and they will rally round the progressive section in their own community headed by Mr. Arthur Moore, which has identified itself with the just cause of India, so that India may pool all its resources in men and money to ward off the danger that we are facing both in the East and in the West. With these words, I oppose the motion.

Mr. HAMIDUL HUQ CHOWDHURY: Mr. Deputy President, I am sure that by this time the honourable members of this House have got a complete idea of the statement that has been made by the Hon'ble Chief Minister. I was not at all surprised at the contents of that statement. The Chief Minister himself realised the disappointing nature of the statement he was making, so much so that he felt ill at ease to read it before the House. He selected for presenting this statement of facts and the record of his achievements not to his second deputy, not to his third deputy, but his last deputy, namely, the 9th member of his Cabinet, the Minister from the Scheduled Castes.

Analysing the statement we find that in a pamphlet consisting of 17½ pages, the Chief Minister has dealt with seven items of achievement during the last 12 months of his administration. One of these achievements which has occupied the major portion of his statement refers to war efforts —a subject which has become as important as recruitment of the army and the manufacture of arms and so on. He has taken great care to say that activities of this department were initiated by the last Government and during the regime of the present Government this has flourished. So far as this department is concerned, there are certain acts of omission and commission on the part of the present Ministry which have been thoroughly discussed on the public platforms and in the Press; they have also been discussed in the other House. It relates to A. R. P. and its sister organisations. To that subject, Sir, he has devoted 12½ pages of his statement. But a cursory glance will show that this statement on A. R. P. is almost a copy of any pamphlet which has been published by the A. R. P. Department all over the country——

Mr. DEPUTY PRTSIDENT: Order, order. I am very sorry to interrupt you. Are you going to make a speech on the motion before us or are you going to make a general speech?

Mr. HAMIDUL HUQ CHOWDHURY: I am just introducing the subject. Well, Sir, this is the main feature of the statement. Sir, compare the other items included in the statement with this A. R. P. item. The second item we find dealt with is the food problem. That covers barely a page in which he simply refers to some difficulties. He has not held out any hope of

solution. He has not said what are the plans that the Government have formulated for the solution of this very acute problem. He does not seem to realise the urgency of the question of the supplies of foodstuffs. The Provincial Government have very little concern with the active operation of war although on that plea they have withheld all important works of this province. The primary concern of the Provincial Government is to provide food to the people in times of crisis. This difficulty of food-supply was apprehended for a long time, and as Japan came into the war, this problem became more acute because certain sources of food-supply were cut off from this province. And, Sir, what have the Government done during this critical period when every one knew what was going to happen. By way of solution, the Chief Minister has stated that "The House is no doubt aware that we have recently established the nucleus of a Civil Supplies Directorate and I hope that it will not be long before it is working at full strength". Well, Sir, barely a month has passed since this Directorate was established. The problem became acute much longer before that. Every household in Bengal is at present faced with starvation. The barest requirement of the average people of Bengal is very small, viz., foodstuffs and some clothing to cover their shame. That, Sir, is the problem and so far as this Government is concerned, it has allowed the situation to deteriorate from day to day. It must have been within the experience of the honourable members how the crisis is developing from day to day, how the profiteers who have accumulated supplies for their own advantage have exploited the situation. Government have recently introduced the purchasing system. But was there any plan behind the system; we do not know. Government announced that the Government of India wanted to withdraw some of the surplus foodstuffs from the districts in which there was surplus and from those coastal areas which are likely to be attacked by Japan. As a part of the denial policy of the Government of India, the Bengal Government withdrew large quantities of rice from these areas. Sir, the manner in which these schemes have been executed, the atmosphere under which they were worked out have created such a sort of suspicion, have spread such rumours—in fact, such rumours are passing every day on the streets of the cities and in the villages—that no Government of any country in the world could stand them even for one day. Only in this country do we find that even against strong public condemnation they are justifying their activities. Sir, it might sound strange, but all the same it is true that contracts have been given not on considerations of public advantage but from considerations of party patronage. Contracts have been divided for the purpose of sharing of profits amongst persons who are the supporters of the Government and whose support has to be bought. The rumour is that contracts were distributed for the purchase of rice not from the districts which are known as surplus districts but the purchase went on from districts which were not surplus with the result that the prices went up to such an extent that from the neighbouring places businessmen came with the idea that they would be able to make profit by purchasing rice from districts which were surplus in the matter of rice production. What calculations they had for the purpose of showing that the areas, principally the islands lying

on the Bay of Bengal from which large quantities of rice had been withdrawn, would be able to meet their own needs? Those areas were left absolutely without the necessaries of life. This procedure went on. It was allowed to continue because it meant more profit to persons who were connected intimately with the present Ministry. Sir, therefore, when the food problem was at long last tackled by the Government, the people found themselves in greater danger, because the vast power that was taken by the Ministers for the purpose of ameliorating the condition of the masses was taken advantage of for meeting selfish ends. Following that, they created a licensing system for the purpose of controlling the prices—the rising prices and the exploitation by the dealers and shopkeepers of the consumers. What was the actual result of that? Sir, it is said that favoured persons were given licences for the purpose of suddenly becoming dealers—persons who throughout their lives passed as politicians were suddenly known to be dealers and stockists of sugar. They purchased sugar at the rate of Rs. 13 or so per maund. They were seen to sell that sugar at the rate of Rs. 19 next morning. Special permits were issued from the house of a particular Minister, authorising these persons to get from the selected dealers quantities of sugar at controlled prices, whereas the ordinary man could not buy at less than 14 annas a seer. Only people who had easy access or audiences with the Ministers, could get sugar and rice in any quantity and at proper time but not the general public. This is the power they have taken and that is the way they are utilising that power. A certain Minister is reported to have started a shop for the purpose of selling rice. The report goes that in that very shop sometimes rice was being sold at Rs. 10 to Rs. 12 per maund when the control price was Rs. 8-4. That is what they are doing and if the public become suspicious of every step that the Ministers take and think that these measures will not be used for the benefit of the people in general, how can you blame them? It is a matter of great surprise, Sir, that there has as yet been no open revolt against the constituted authorities. The disturbances in this province that have taken place as a result of the activities of the Ministers in the matter of foodstuffs and price-control etc., you are foisting on the Congress. You are showing resentment against the activities of the British Government and the Government of India in arresting Congress leaders and claiming that these disturbances show the popularity of Congress with the masses. The Ministers are exploiting the politicians and the supporters of the Congress. Sir, the ignorant people of the Sonthal Parganas, the half aboriginals who are suffering from hunger are being exploited. I know of one case in which 5,000 to 10,000 rural people in the Dinajpur district were instigated to march upon the town in the expectation that they could easily loot large quantities of rice which Government have purchased and are hoarding away from the people in order to supply it to somebody else outside this province. These are the people whom the Congress describes as their supporters, supporters of their mass movement. Sir, these people are not the supporters of the Congress but are being exploited by the Congress for their hunger. And directly and definitely these Ministers are contributing by their action to this situation, and they are saying that they are keeping up the morale

of these people not by repressive measures but my ameliorative measures like price control etc. Sir, in the end it is these poor people who will be punished while as a matter of fact punishment should be inflicted only on those who take to political agitation and engineer riots as a policy. These poor people will be punished whereas those who have instigated them will escape. Sir, consider the case of the hunger-marchers. They have been compelled only on the assurance of getting a morsel of food to resort to this sort of drastic and violent action. These conditions are being created by the Ministers by their imprudent price-control and food-control policy. It is they who are directly contributing to the disturbances that we are witnessing in Bengal; they are not at all due to dissatisfaction with the political situation of the country. Mr. Ross has said, and this has been re-echoed by several members on the other side very conveniently, that the Opposition has not made any constructive suggestion. Sir, Mr. Ross cannot be expected to realise fully what are the duties of the Opposition. Being always supporters of the Government, and not having known during any term of their Council or Assembly life how to be in the Opposition, they do not know what the Opposition's duties are. It is not the duty of the Opposition to give any advice to the Ministers; we have our plans, our schemes and our projects and they are to be carried out if and when we come into power. We cannot give light and guidance to those who have no light of their own. When the Chief Minister invites advice and suggestions from the Opposition, he thereby declares to the world that he is not fit for sitting where he is sitting at present. If he wants our advice, then we should be sitting behind the Treasury Benches and with the Ministers. Therefore, Mr. Ross's criticism that we have always been critics of Government and have never put forward any constructive suggestions, though in theory is all right, but in practical politics has no legs to stand upon. So, when the Government ask for advice and suggestions from the Opposition, by their own admission they stand condemned. They ought to have their own plans and programmes and it is because their plans and programmes are supposed to be superior to ours and because they have the power to put them into execution that they are on the Treasury Bench today and not on the Opposition. The Chief Minister when he has to hear in this House some sharp criticisms of his performances makes himself conveniently ill and is always absent on such occasions. But possibly we shall get an opportunity to confront him with his achievements. He is absent today and may also be absent tomorrow. It is not unoften, as I have said, that he has invited, whenever he has felt it convenient and whenever he has been placed in an inconvenient position, advice and suggestions from the Opposition just only to soothe and mollify our feelings. He says—"come here and advise me, I am open to your advice" and things like that. I submit, Sir, that he is always open to advice, because he has no programme or plan and he takes no interest in public welfare. Therefore, no fixed plan or programme can be expected from him. Look at the questions that we have been asking with regard to the Agriculture and Industries Department. This has been one of the most neglected departments throughout the history of the old as well as of the new Reforms. They have been entrusted to a

Minister who is not competent to deal with the agricultural and industrial problems of the province. These subjects are much more important than the Home Department and other departments. So, Sir, this department should have been entrusted to the most capable Minister; but it is otherwise. When some questions were put to the Hon'ble Minister, he displayed an amount of ignorance which surprised us very much, and it has frightened us as to what is in store for us. Has he got any plan? Does he know what is his programme? He has got none. Only distribution of pamphlets asking the people to grow more food will not solve the problem.

Then, Sir, my friend Khan Bahadur Muhammad Jan, a great business magnate—an exporter and importer of piece-goods from Japan and other countries—cut off from his business for the time being—spoke supporting the statement of the Hon'ble Chief Minister. But he has got little or no knowledge of the condition of the people of the rural areas, what foodstuff they grow and what is their difficulty. He is concerned only with his import and export business. He says that the present Government have plans but that there is difficulty owing to the source of supply being cut off. But what are the plans? What have they done for the purpose of increasing the production? Only day before yesterday the Hon'ble Minister in charge of Agriculture said that half a million acres of land can be sown with the improved seeds. Is that enough? Does he realise that so far as the Agriculture Department is concerned, it has what is really an apology of a scheme for the production of seeds which is one of the growing needs of the province? For want of improved seeds the province is starving and no improvement can be made possible if the production of seeds is not increased, as our province is proverbially poor in the production of improved seeds as compared with other provinces in India. One of the main reasons why it is so, is that there is no attempt made to improve the quality of the seeds—there is no research for the production of better and larger quantity of seeds so that they can be distributed to the people at large. What is the scheme of the present Government? There was a scheme which is in operation for nearly 2½ years. May I know how far that scheme has been worked with the money placed at their disposal by the Government of India? This grant would have been a god-send for any other Government. But what has this Government done with that grant to increase and improve the production—what have they done with the large amount placed at their disposal by the Government of India in order to increase the food production of the province?

The Hon'ble Minister for Agriculture in the month of April advised the people to immediately take up the question of growing potatoes: the people do not grow potatoes in the month of April. Then, Sir, he advises the people to grow *rabi* crop in May. *Rabi* crop is not grown in May. In this way in his preoccupation with other things he advises the people to grow *rabi* crop when it is time for wet crop. Mere distribution of leaflets and pamphlets exhorting the people to grow more food, as I have already said, will not solve the problem.

Sir, has he seen what has been done in the other provinces; how lakhs and lakhs of rupees which the Government of India put into their hands has been distributed? They have done nothing for the purpose of reclamation of large areas of lands in Nadia, Jessore and Khulna which are lying fallow. Vast tracts of land in the East Bengal districts are lying uncared for. They have not tried to cultivate these lands. They have not tried to grow one handful of paddy in these lands. (Mr. LALIT CHANDRA DAS: You want miracle.) What can be done with fallow lands has been shown by some sugar mills who started working only two or three years ago. They have brought under cultivation lands which were remaining fallow. They have improved those lands. Their efforts have been fruitful. Look at the Government of Assam. They have cleared jungle areas of some districts and people are going to settle there. Such things can be done here also and thereby to a certain extent the overcrowding of population may be solved. Therefore, only the plan of providing a Directorate of Supplies or starting of an organisation for the control of prices will not solve the problem. Bengal will have to grow her own rice. No other province can supply rice to Bengal adequately. The Chief Minister has only displayed his inactivities of last 10 or 11 months through the pages of his statement. We are not surprised with it.

Sir, Khan Bahadur Muhammad Jan has brought in a question—his most favourite question, the question of cutting off of supplies. I am sorry he is not present. His activities also are well-known to us. He has been returned as a League member in this House but in his wisdom he has thought fit to go and sit with the other party. He is now one of the conveners——

Mr. NARESH NATH MOOKERJEE: Sir, are you going to permit these personal attacks specially when the honourable member is not present here?

Khan Sahib ABUL QUASEM: He ought to have been here. He has made some remarks and gone away.

Mr. NARESH NATH MOOKERJEE: Well, give the Government some constructive suggestions. What is your plan?

Mr. HAMIDUL HUQ CHOWDHURY: Well, if the Government really want constructive suggestions we can give them. They are very simple. First of all, you have to find out money for the purpose of financing some beneficial schemes which you are asking the people to do. One of the most essential things is to guide these people, not only by pamphlets and talks but by giving them some assistance in the shape of improving their lands. The system that has been found suitable in all other countries, namely, the system of training a band of demonstrators who show to the cultivators on their own lands how to grow and what to do in time of difficulties with which they are unacquainted. These demonstrators will have to be trained. There was a plan drawn up by the past Government but could not be put into operation on account of the fact that they had to resign. They were

producing a large number of demonstrators at emergency centres—they were giving intensive training to them. They produced thousands of these demonstrators, and sent them to villages. They used to send them round with quantities of seeds—good seeds—and induced the people to buy them. I would advise Government to send thousands of demonstrators with seeds purchased from this province or outside for improving cultivation. Secondly, you must have larger centres for production of seeds. You cannot depend upon seeds which you purchase from the ordinary market. After the last year's Barisal cyclone, the seeds which were distributed by the Government did not germinate and created a very bad impression among the people. Therefore, you must be very careful about the production of seeds. You must be careful about improving their quality. Then, Sir, after having produced, Government will have to find out a machinery for the purpose of disposal of surplus. In this way they can save the cultivators from exploitation. Now, Sir, about the question of transportation difficulties. The Government must know what the other countries are doing in similar circumstances. They must get literature from other countries—they must get hold of their schemes and see how those countries faced those problems during the war and how most of them have solved it. You must get literature and know how they have succeeded in abolishing "black markets" and how they have been able to save people from exploitation of the kind which we are now witnessing in this province at this stage. These are some of the suggestions that I want to make to the Government.

Begum HAMIDA MOMIN: Mr. Deputy President, Sir, I rise to support whole-heartedly the motion moved by the Honourable the Leader of the Opposition, Khan Bahadur Saiyed Muazzamuddin Hosain. The present economic condition on which this motion hinges is one which has affected not one class or one section of our province, but it is general and has affected the province as a whole. We all know that the present food scarcity is due to war conditions in our country and none of us would grudge preference being given to military supplies or war work; on the other hand, I am sure that every one of us is prepared to forego luxury and comforts and make sacrifices to do his or her bit to help the Allies to win the war—and that gloriously. But what is wanted is a little more serious thought and real effort on the part of the administrators. There is, no doubt, the Controller of Prices and also other administrative arrangements to see that the people are not subjected to unnecessary hardship. I can, however, say from personal experience that all this has been on paper only. So far not a single article of food or medicine could be had at controlled price. Then, Sir, even regarding the supply of those articles of food of which the price has been controlled, people have got to stand in a long queue for the whole of a morning in order to have a seer or half a seer of sugar and two seers of rice. In the majority of Indian families, the householder himself does his daily bazaar and if he has to spend the whole of his morning in getting a seer of sugar and two seers of rice, that means that he will be unable to go to his work or if he has to go to his work he and his family will have to starve.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Will the honourable lady member kindly let me know at what price that sugar and rice were being purchased?

Begum HAMIDA MOMIN: I am not talking of the price. I am talking of the inconvenience that this system of rationing causes to every householder——

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I wanted to know if the controlled price was being observed in those shops.

Begum HAMIDA MOMIN: I do not know if controlled prices were being observed in those shops, but I may tell the Hon'ble Minister that sugar was selling at about six annas a seer and rice, coarse rice, at three to four annas a seer. But it was next to impossible to get these articles; one had to wait almost the whole morning for them. Has the Hon'ble Minister made any arrangement to remove this great inconvenience of having to wait for hours together in the morning? It is not simply a case of getting the articles. Then, there are the mofussil towns and villages. [illegible] met, I have been living in my village home in Mahata in the Burdwan district, and the food prices there have become prohibitory. Coarse rice is being sold at three to four annas a seer, *dal* at five annas a seer, sugar at twelve annas a seer and so on. A wage-earner who earns from six annas to eight annas a day, and that even not every day of the week, has not enough to buy rice with even for his family, leaving alone other things. Clothing is out of the question. An ordinary piece of cloth, coarse cloth, 10 cubits is being sold for rupees three, or more. Men and women both of the *Chasi* class and wage-earners were almost in rags and every one of those who came to the house almost begged for a piece of old cloth. Then, Sir, here in Calcutta, since my return I find that with all the restrictions on the traders and merchants for price control, the prices of food commodities are soaring high daily. Coarse rice is being sold from Rs. 8-8 to Rs. 10-8 per maund. Sugar is not available at all in the market. An oilman's store like Baboor Ali's in Sir Stuart Hogg Market has had no sugar for sale for over two weeks now. I have sent my servant to the markets for fourteen days but he has each day come back to say that sugar is not available in the market. Gur is being sold from eight to ten annas a seer, which people could buy before for 5 or 6 pice a seer.

The statement of the Hon'ble the Chief Minister on which the motion has been raised states that the nucleus of a Civil Supplies Directorate has been established and that he and his Ministers are in contact with other provinces for restoration of the supply of those foodstuffs for which Bengal has always depended on them. This is all very well to hear in a speech and to record in pen and ink but when it comes to a whole province verging on the point of starvation or being unable to cover their shame, something more tangible has to be done and some more swifter process has to be adopted. I should, therefore, urge the Hon'ble the Chief Minister through you, Sir, to

look into the actual food conditions now prevailing in Bengal and then to see that all their efforts to control prices and to get food commodities from other provinces moved into Bengal may not be confined within the walls of the Secretariat to adorn the files there but that real benefit is reaped by the people of Bengal as a whole and particularly by the poorer classes and the wage-earners who are in great hardship. And before I take my seat I would like to make an appeal to the honourable members of this House. I feel sure that this motion has not been moved by the honourable Khan Bahadur Muazzamuddin Hosain in a spirit of mere criticism or party feeling, but purely from a humane feeling of bringing the actual distress of the people to the notice of the Government as experienced by him and by those of us who are here. I would, therefore, Sir, request the honourable members of this House irrespective of their party adherence to look at this motion in this light and help Government by practical suggestions to find ways and means to allay this distress as far as it can and as soon as it can, and remove the hardship of the people of the province.

Khan Bahadur ATAUR RAHMAN: May I speak on the motion now?

Mr. MESBAHUDDIN AHMED: Sir, the time is up.

Mr. DEPUTY PRESIDENT: How long you will take, Khan Bahadur? Will you be able to finish in about five minutes?

Khan Bahadur ATAUR RAHMAN: Yes; but it may be a little more.

Mr. DEPUTY PRESIDENT: Then I would request the Khan Bahadur to wait till tomorrow.

The Council stands adjourned till 2-15 p.m. tomorrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Friday, the 2nd October, 1942.

Members Absent.

The following members were absent from the meeting held on the 1st October, 1942:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. Altaf Ali.
(3) Mr. Kader Baksh.
(4) Rai Bahadur K. C. Banerjee.
(5) Rai Bahadur M. N. Bose.
(6) Mr. S. C. Chakraverti.
(7) Khan Bahadur Rezzaqul Haider Chowdhury.
(8) Mr. B. C. Datta.
(9) Mr. N. C. Datta.
(10) Mr. K. K. Dutta.
(11) Khan Bahadur Alhadj Khwaja Mohd. Esmail.
(12) Mr. R. W. N. Ferguson.
(13) Mr. Mohamed Hossain.
(14) Khan Bahadur Syed Muhammad Ghaziul Huq.
(15) Khan Bahadur Muhammad Asaf Khan.
(16) Maulana Muhammad Akram Khan.
(17) Mr. W. B. G. Laidlaw.
(18) Dr. R. K. Mookerjee.
(19) Mr. R. Pal Chowdhury.
(20) Khan Bahadur Muklesur Rahman.
(21) Rai Sahib J. N. Ray.
(22) Dr. K. S. Ray.
(23) Mr. B. K. Roy Chowdhury.
(24) Rai Sahib J. M. Sen.
(25) Khan Bahadur M. Shamsuzzoha.

BGP-42/3-8782A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 9.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 2nd October, 1942, at 2-15 p.m., being the ninth day of the Second Session of 1942, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

QUESTIONS AND ANSWERS

Question which remained outstanding from the Third Session, 1941.

Realisation of contribution to the War Fund in Faridpur.

73. Mr. SACHINDRA NARAYAN SANYAL (on behalf of Khan Bahadur Abdul Hamid Chowdhury): (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state if it is a fact—

(*i*) that while the economic distress is prevailing in the Sadar and the Goalundo subdivisions of the district of Faridpur, War Fund contribution has been raised by the Settlement authorities from one and all of these subdivisions; and

(*ii*) that compulsory contribution to the War Fund is being enforced by the Settlement authorities from the people concerned with disputes at each stage of the Settlement operations?

(*b*) If the answer to the above questions be in the affirmative, will the Hon'ble Minister be pleased to state what amount has been collected up to date by the Settlement authorities for the War Fund and what amount has actually been transmitted to the War Fund?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) and (*ii*) No.

(*b*) Does not arise.

Discussion on Chief Minister's Statement.

Mr. DEPUTY PRESIDENT: The House will now take up further discussion on the motion relating to the Chief Minister's statement.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: I felicitate the Government on their belated good sense in having convened a session of the House at such a critical juncture in the history of this province. The Government have their agents throughout the province from whom they can learn what is happening in the country,—I mean the recent untoward happenings. But those agents are purely official. There are very few non-official bodies who may bring to the notice of the Government their convenience and inconvenience. By convening this session, Government have given us an opportunity to hear what the representatives of the people have got to say about the general situation in the province.

With regard to the motion which is before the House, I am glad to find that the Leader of the Opposition has moved a motion which is of a very important character and which affects the interests of the masses of this province. As a matter of fact, the Chief Minister himself has admitted the fact when he says, "I now turn to a subject which is of an immediate personal interest to every individual—that of supply and prices of the necessities of life." As I have already said, I am very happy that the matter has been brought before us for discussion. But I cannot see eye to eye with the manner in which it has been moved by the Leader of the Opposition. Acute economic crisis is a matter with which everybody, rich and poor alike, is interested. But I regret to find that the Opposition has brought this motion as a sort of censure towards the Chief Minister. It would have been better if the Opposition could bring this motion in a friendly spirit so that the mover's principal object of ameliorating the distress of the people might be achieved. We are as much anxious as the Opposition to remove the present difficulties and to see normal life restored. It will not serve the purpose of the Opposition to raise this important matter from a party spirit. If they so desired, they could have raised a discussion on other subjects which were not difficult to pick and choose even from the statement of the Hon'ble Chief Minister, for censuring Government.

With regard to the question of economic crisis, it is admitted on all hands that we are passing through unprecedented difficulties. There has been scarcity not only of the staple foodstuffs but of all necessaries of life. In the past we had bitter experiences of famine in Bengal when people died of starvation, and hundreds of cattle died for want of water. On those occasions when famine broke out as the result of heavy floods or draught, people would experience scarcity of staple food-crop, namely, rice only. But at the present moment, people are experiencing famine of all commodities of daily life including salt, kerosene and matches even. So, the present situation is far more serious than what we had experienced in the past. We did not experience anything like this even during the last Great War. The reason is obvious. It is partly due to the practical stoppage of railway and other forms of transport service and partly to the unfortunate incidents that are taking place in the wake of the Congress movement. Sir, it is well-known to this House that the situation that has been created is due solely to the present war. We cannot blame the Government for that. We cannot expect the Government to have anticipated this awful situation. All that we can do is to criticise the Government if they have

not taken steps in proper time for mitigating the hardships of the people in the present abnormal conditions. I think the Government have acted to the best of their ability. We should not be unduly severe on the Government for their acts of omission and commission, because the situation that has arisen is new also to them and as such they have no precedents to guide them. One must realise that in a war emergency there must be interruption in the normal activities of social life and also loss of the ordinary amenities to which the people may have got accustomed. The rise in prices, the increase in the level of taxation, the stoppage of transport service, shortage of foodstuffs, affect all classes of people. If that be so, how can we blame the Government for all these hardships?

But, at the same time, I must say that the policy they have adopted and the steps they have taken have not given satisfaction to a considerable section of the people of this province. There is no doubt considerable scope for improvement and it should be our duty to make constructive suggestions, calculated to bring relief to the average people, instead of indulging in carping criticisms with the object of making a political capital out of the present difficult situation which has caused a good deal of embarrassment to the Government. Sir, in that light, I would like to say a few words by way of offering some suggestions, and I hope Government would take a note of them.

First of all, with regard to price-control. We cannot deny that the scheme of the Government as regards price-control has been a failure, and that instead of giving real relief to the people it has, on the other hand, caused a lot of hardship to them. Paradoxical though it might sound, it is nevertheless true that the manner in which the policy of price-control has been sought to be enforced, has tended to raise the price of all foodstuffs. Those who were charged with the responsibility of administering price-control, I mean the price-control officers, have not given due weight to the important implications of the law of supply and demand and to the question of ensuring a steady supply of goods, commensurate with the needs of the civil population. As a result, what has happened is that as soon as the Government took steps to control the price of a commodity, the supply of that commodity went out of market and as a consequence the price also went out of control altogether. The supply available for the civil population had been largely reduced on account of heavy purchases made on behalf of the army and also on account of very large exports outside India. The policy pursued by Government drove the essential commodities underground, that is, to the "black market" and the prices rose far above the controlled price. There are also many men who are of opinion that some of the price-control officers have benefited at the cost of the ordinary people. Indeed, the control system is something that is very difficult to work out in practice. As a practical suggestion, I may say that this can be averted if Government purchase all essential commodities that are required for ordinary human consumption, I mean the essential commodities of life. One may say that the proposition which I am suggesting is an unpractical one which Government would not want to accept, as it is supposed to involve a huge sum of money. But I may also say that no

huge fund will be required for the Government to purchase the articles. As they have sufficient credit in the market, the payments can be made by instalments after the sale of goods. No cash payments will be required for the purpose and Government will be at liberty to sell the articles either through agents or on commission. I do not ask the Government to sell at a loss, but they can sell at some profit. In this way, the price-control system can be utilised to benefit the people of the country.

With regard to the sale of commodities the policy that has been adopted is this: in subdivisions and district headquarters some shops have been opened for sale of essential commodities at controlled prices. But the number of customers is so large that one has to wait for three, four, five or six hours daily. The policy underlying this step on the part of Government is that the commodities should be distributed among all people and no one should be allowed to hoard. But in practice we find that great inconvenience is being experienced by the people. First of all, one has to wait for several hours daily for getting small quantities of his foodstuff and this involves considerable dislocation in his normal work. The number of customers at such shops is so great that it is impossible for any one to go to the shop unless he is strong and stout. Consequently, there is no chance for ladies, children or invalids to get supplies from these shops, and in this way they are debarred from taking advantage of price-controlled goods. Then, again, here in Bengal an ordinary average family consists of a male earning member and a servant besides female folks and children. If the earning member goes to the shop, he will lose his earning: ladies cannot go to the shop and the servant also cannot go as he has other work to do. So, the present system is very disadvantageous. To my mind, if the coupon system is introduced, it will be of some advantage. Officers of Government may be employed to enumerate the number of members in a particular family and then he can report the matter to the special officer who is entrusted with supervision of price-control. (Here the honourable member reached the time-limit and was allowed a few minutes.) And in this way if he could issue coupons to every family mentioning therein the total quantity of foodstuffs it should get for each month, there will not be any difficulty. By this means, every family may get supply of essential foodstuffs with least inconvenience.

With regard to another matter the Hon'ble Chief Minister has made a long survey, namely, the A.R.P. system. In that portion of his speech he has informed the House that elaborate arrangements have been made in the towns, in the cities and its suburbs; but nothing has been mentioned about A.R.P. arrangements in the mofussil, as if mofussil areas will not be affected by the bombing of the enemy. On the other hand, we had the bitter experience of Malaya, Burma and other places where mofussil towns were ruthlessly bombed. In reply to a question asked in the Central Assembly about the recent air-raids by the Japanese on places in India, the Secretary of the Foreign Department replied that no town was bombed. Since he has admitted that altogether seven places have been bombed in this province and Assam so far, evidently mofussil towns and rural areas adjoining those towns are the places where the bombs were dropped. From

this it appears that mofussil towns are more in need of A.R.P. precautions than big cities and towns. So, it is desirable that some arrangements should be made to protect the mofussil towns from possible air-raids. The Hon'ble Chief Minister in his statement said that "in addition to the strengthening and development of the A.R.P. organisation Government have arranged in recent months for the improvement in the warning system, and a large number of sirens have now been received and distributed in vulnerable area". But nothing has been done for the mofussil towns. I know that sirens cannot be fitted in mofussil towns where there is no electricity. But there are mofussil towns where electricity is available nowadays and so sirens can be installed. Where there is no electricity, some arrangement should be made for giving the people air-raid signals. I would suggest that arrangements may be made to communicate the warning by wire through the post offices. The Postmaster on receiving the alarm signal will blow the bugles and this would put the people on guard as far as possible. In this way, casualties will be minimised. Sir, the lives of mofussil people are certainly as valuable as those of their fellowmen who live in big cities. Sir, similarly nothing has been said about the arrangements of extra beds in the hospitals. I would request the Government to see that beds are also arranged in the mofussil hospitals.

I propose now to say a few words about the recent disturbances arising out of the Congress movement. The Hon'ble the Chief Minister in his statement has said that he did not like to give his views on the present Congress movement, but would hear from the members of the Council what they have got to say and then he would reply. Accordingly, it is desirable that the honourable members of this House should make some observations on this important question of the day.

It is with considerable diffidence and not without a deep sense of responsibility that I propose to speak a few words on this subject. The political horizon is overcast with lowering clouds charged with lightning which threatens to strike and destroy democracy and civilisation. The situation has been made doubly dangerous by deplorable internal disturbances. "Let no one," said Parnell, the great Irish leader, "put a limit to a people's aspirations." And after all, what are the people of this country aspiring after and what has been conceded by our rulers? There is no gainsaying the fact that every section of our people and every political organisation in this country has openly demonstrated its abhorrence of autocracy and its support for democracy. Since the United Nations are fighting for the cause of democracy which is now in danger, we fail to understand why the British Government have not yet taken proper steps to harness the co-operation of the people of India in furtherance of the common cause of the United Nations?

I feel constrained to say that British statesmen have bungled badly from the beginning. I, for one, would think that it would be more glorious for the British to crush the combination of those powers which is out to quench the light of civilisation in a flood of blood with the willing help and co-operation of the people of this country. If Britain had solemnly and

unequivocally promised to concede to the demand of all sections of the Indian people for self-government on the basis of self-determination, and then asked for their help for the successful prosecution of the war, I am sure the response would have been spontaneous and tremendous. Sir, personally I disapprove of the attitude of the Congress and I fully support the steps taken up by the Government of India to stop this lawlessness in the country. But I cannot agree with Mr. Churchill when he says that Congress is a non-entity. However much one may disagree with the principles and methods of the Congress, it is no use shutting one's eyes to the fact that the Congress, and Mahatma Gandhi in particular, has a great hold on the masses of the country——

Mr. DEPUTY PRESIDENT: Order, order. Today is the last day for the discussion of these motions and the honourable member has already exceeded his time-limit. So, I would request him to finish his speech soon.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Sir, I shall finish in a minute or two.

Sir, I have some constructive suggestions to make. I think that even now an attempt should be made to establish a National Government with the help of the other political parties. These bodies should be left free to confer with the Congress leaders behind the prison bars. If this is done, I am sure that a result, satisfactory to all parties concerned would be achieved.

No time can and should be lost to conciliate Bengal, and I am sure if an earnest attempt is made, it would not be difficult to achieve the end we all have in view. I am glad to find that the Chief Minister has taken the lead in this matter and that he wants to go to Delhi for the purpose of solving this deadlock. In Bengal, a popular Ministry is functioning and the executive should be placed in this matter under the Ministry which is primarily responsible for the maintenance of law and order in the province whose fair name we would not allow to be tarnished. Sir, when tens of thousands of our people are being thoughtlessly evacuated from their hearths and homes at the shortest possible notice without any previous arrangement for their shifting or stay elsewhere, one can very well imagine what bitter feelings are engendered thereby; when means of livelihood eked out by hundreds of men by plying boats on the rivers is forcibly suspended, people affected thereby naturally get disappointed; when people cannot get their clothing cheap, they feel naturally disgruntled; when transport of supplies by which people in the countryside earn their livelihood get restricted, they feel helpless. I do not want to multiply instances, but all that I have stated has gone on in my province from month to month for nearly a year. The intensity of dissatisfaction reaches the highest pitch when necessities of life have to be procured with great difficulty or most dearly paid for. When the ordinary civil population cannot have free and easy access to the essential things of life, such as rice, cloth, salt, etc., they naturally begin to harbour feelings of deep resentment and

become desperate. This is the condition which is prevailing in our province at present. And this has led to the intensification of the Congress movement to a great extent. In order to check this movement, Government should pay special attention to these problems. Unless they are tackled, the movement cannot be crushed. With these words, I oppose the motion.

Khan Bahadur ATAUR RAHMAN: Sir, our friend the Hon'ble the Leader of the Opposition has unfortunately selected a motion for discussion which bears the unlucky number 13.

Khan Bahadur MUAZZAMUDDIN HOSAIN: It did not lie with me to select this motion.

Khan Bahadur ATAUR RAHMAN: If he had selected No. 34, I think, he would have covered the whole field. As the previous speaker has said, we have got full sympathy with the spirit and the ideas underlying this motion, but not with the object which seems to have inspired the mover. We are disposed to think rather that the motion is designed to censure the Government. If that is not so, and if the desire for securing relief for the masses in the present economic situation has prompted the mover to bring up this motion, he has our full sympathy

Mr. HAMIDUL HUQ CHOWDHURY: That is the only comment you can make.

Khan Bahadur ATAUR RAHMAN: Our friends on the Opposition think that this Ministry is responsible for the acute economic crisis which prevails in this province at present. I must say that that view is wrong. It is not these gentlemen of the present Ministry who are responible for this state of affairs. The whole world is suffering from similar economic distress and the party really responsible for our present miseries are not the Government of India, or the Government of Bengal, but those who are responsible for this war. At a time like this, this sort of high price and dearness is unavoidable. The Opposition might say that the Ministers have failed to mitigate the hardships experienced by the people in getting their daily necessaries of life at proper price. The prices which are ruling in the market are no doubt high and poor people cannot buy even their staple foodstuffs. So long as the exchange policy of India is linked up with the whole world, the prices are bound to be affected along with the rise of prices in other countries. At the same time, we cannot wholly support the Ministry. We will certainly defend them where it is possible, but we must say that they could have done something more in this matter. It is a well-known fact that Hitler began to take steps to grow more food and stored up large quantities of foodstuffs some years before the war actually began. What have we done? We have taken up the campaign of "grow more food" very late in the day but that too is not being run on proper lines. No food can be grown by sitting on comfortable chairs under

the electric fan. The campaign for growing more food cannot succeed by mere propaganda or by posters. The cultivators should be given actual help. Mr. Hamidul Huq Chowdhury made some very useful suggestions yesterday and I need not dwell at length on that matter. We find that in furtherance of the recently-started "grow more food campaign" Government are distributing some "improved" seeds. I have personal experience that these seeds did not even germinate at many places. These paddy seeds were purchased from the bazaar from the favourite contractors of the Government and then distributed among the cultivators on condition that these seeds should be returned with 25 per cent. excess. In many places it was not possible for the cultivators to comply with this condition. I hope the Hon'ble Minister concerned will investigate as to what kind of paddy seeds were supplied. But can distribution of seeds alone improve the lot of the poor agriculturists? In my part of the district, I have seen that during the last two years floods have taken place destroying the standing crops; but nothing has been done to improve the river system there. Most of the rivers are dry or in a dying condition with the result that the areas are not flushed or drained but remain water-logged. Without improvement in the river system no amount of manure or good seed will be of any avail. I have tried myself some varieties of improved seeds which I obtained direct from the Government farm. But there was no rain in time nor irrigation was possible. So, the cultivators in that part of the district suffered. Unless these difficulties are attended to and unless some more capital is given to the cultivators for clearing out jungles—there are vast areas covered with jungles which can be made arable if proper steps are taken—the "grow more food" campaign will not succeed, although I, for one, believe that this propaganda, if carried on, on proper lines, might help the peasantry very much. Sir, the agricultural officers of Government live in two-storied bungalows; they seldom visit the interior of the villages or help the actual agriculturists. The demonstrators, too, on their part do not instruct the cultivators whether a certain class of seed is to be used for high lands or low lands. Then, again, there are no demonstration farms in every district. They are all located in the district headquarters; they should be spread out to the interior to help the cultivators. This is the way in which all possible help should be given to them for growing more food. If the cultivators get more crops, that will bring prosperity to the people of this country.

There is another point, Sir, and that is about the river system. Unless the river system is changed our attempts to grow more food have very little chance of becoming fully successful. These things cannot be done in a day. Government should have some definite programme for improving the river system. Improvement of the river system would immediately lead to improvement of agriculture. So far about foodstuffs. But what about the supply of cloth? The people in the interior are almost naked. A pair of *dhoti* which was selling at Rs. 1-9 two years ago is now selling at Rs. 4-10. You can well imagine the difficulties of the poor people who will have to pay for it. We have heard of standard cloth. Our Chief Minister has stated that the standard cloth will not be available before the Pujas. But

there is no knowing exactly when it is coming or whether it is coming at all; how many pairs of this cloth have been indented, what will be the price, whether it will be fit for all classes of people, or whether it is only for the poor people. All this information is wanted by us and we cannot be satisfied without replies to these questions.

Coming now to the jute policy of Government, I may say that if the Government had not increased the area of cultivation under jute against the advice given by the representatives of the growers, I think it would have been quite possible that the jute cultivators would not be in such a sad predicament this year. Of course, it may be argued that Government could not possibly anticipate at that time that Japan would declare war and thus affect the jute trade so adversely. The other point which I would refer to is the policy about price-control. I find that control of price in respect of some commodities has done good but in the case of others it is helping only the richer class. This has led to nothing but favouritism, as our friend the Raja Bahadur has said. It has almost become impossible for the poorer classes, widows and other weak people to get foodstuffs from the controlled shops. I wonder why the control of the price of sugar has been withdrawn. There was, of course, a cry for the withdrawal of the sugar control, but I do not see how by withdrawing the control the situation has improved. We are not getting sugar at a cheaper price than before. In this holy month of *Ramzan*, the poor Muslims are not getting any sugar for preparing a glass of *sarbat*. The price is too high. So I hope the Hon'ble Minister in charge of Commerce will be kind enough to see that sugar is available to the poor Muslims in these days of *Ramzan* and earn their blessings. With these words, I resume my seat.

Mr. HUMAYUN KABIR: Mr. Deputy President, Sir, in rising to speak on this motion I would at the outset like to congratulate my friend on the Opposition, Mr. Hamidul Huq Chowdhury, on the able speech which he made yesterday, even though it was marred here and there by expressions of opinion which were not in consonance with the general tone of his speech. In a sense his practice was better than his profession. For, he started by saying that as a member of the Opposition he had nothing but destructive criticism to offer to the present Cabinet; but when he actually came to discuss the issues before the House, we found that he had some very useful and practical suggestions to make. I have no doubt whatever that so far as his constructive suggestions are concerned, they will be examined by the Hon'ble Minister concerned and whatever there may be of value in his suggestions will be accepted. But at the same time, we cannot help remarking that the spirit in which he opened his remarks was not in conformity with the tradition of this House or the function of the Opposition in different Legislatures of the world. He started by saying that as a member of the Opposition it was not his business to give advice to the Ministry. He is wrong, for in every country of the world it is the business of the Opposition to offer constructive suggestions to the Government. To say that we have plans but we will not give out those plans, to say that we have solutions for certain very urgent problems with which the country is faced but will

not part with those solutions till we can get into power, is to my mind regrettable. It betokens not a good attitude of mind. I would respectfully submit to my honourable friends that such an attitude is not in consonance with the dignity of the members of this House. We have had the good fortune or misfortune,—whichever way you might look at it,—of being in Opposition for 5 years and, Sir, I venture to submit that throughout we have tried to offer constructive suggestions for whatever they were worth. Sometimes they were accepted, more often they were rejected. All the same, I think, Sir, it is the business of the Opposition, as a part of the constitutional machinery through which Government functions, to offer constructive suggestions. Sir, the feeling which I have had in listening to the speeches from the other side has throughout been that the honourable members there are suffering from frustrated hopes and a feeling of distemper. Well, Sir, this distemper has vitiated the valuable speeches which would otherwise have been constructive contributions to the debate. Sir, I suggested an amendment to this motion: "That this Council, in view of the economic deterioration of the situation, in view of the crisis with which the country as a whole is faced, recommends to Government to explore every possible avenues for increasing the food-supply and supply of clothing in the province and take every kind of step to meet the general economic situation." Well, Sir, I am sure if that amendment had been accepted by the Opposition, it would have been passed unanimously by this House. We all desire to place at the disposal of the Hon'ble Ministers suggestions for solving the problems with which we find ourselves faced. So I would ask the Opposition to give up this attitude of refusing constructive suggestions even when they have any. The logic of circumstances in which we find ourselves today compels us to offer whatever suggestions we can concoct. I think on this point there should not be any difference of opinion in this House.

In view of the general nature of the debate which has taken place and in view of the general issues which have been raised in this motion, practically everything under the heaven has been brought under discussion. We are discussing the economic deterioration of the province. This has its effect on every aspect of life within the country. It was pertinent for Alhadj Khan Bahadur Shaikh Muhammad Jan to bring in the question of Indo-British relations yesterday during the course of his speech. But, Sir, I thought that my honourable friend Sir Bijoy, one of the most veteran parliamentarians in the House with probably a longer experience of the Legislature than any other member here, would confine himself strictly to the specific issue with which this motion is concerned. Instead of that he also took advantage of the vagueness in the framing of the motion and wandered all over the field and raised questions about the black-out arrangements and A. R. P. organisation, collective fines and many other questions which are not strictly pertinent to the motion which is before the House, namely, the economic crisis in the country. I admit that a clever parliamentarian like him may make things pertinent which are not pertinent; but at the same time I may humbly suggest to

him that it would perhaps have been better for him with his vast administrative and parliamentary experience as an administrator and legislator, to offer some constructive suggestions to the Government while discussing this particular motion. He might have told us how to deal with the economic crisis with which the province of Bengal as a whole is faced today. I should have thought that this motion affects him also. For after all, he cannot quite absolve himself from the responsibility of the situation in which we find ourselves today. Even a few months ago, he was one of those who had an important share in the framing of policies in this province, and, Sir, it will not do for him to say that as soon as the present Ministry came to power the old dispensation changed, that everything was good till the 7th of December and everything became bad after the 11th of December, 1941. It is true that the 7th of December was an important date—7th of December was an important date not only here because the old Ministry disappeared on that date, but it is also important in the international sphere. On that date, there emerged in the international sphere a force which has since disturbed the whole world and the consequences of which we are feeling even today. I should have thought that a parliamentarian and administrator like Sir Bijoy would have offered this House some constructive suggestions, but instead of that most of his time—if not all his time, was taken up in mere diatribes, in mere criticisms, in mere fault-finding, a good deal of which cannot be attributed to the present Government. I am myself tempted to digress, and if I were to follow in the footsteps of Sir Bijoy Prasad and my friend Mr. Hamidul Huq Chowdhury, I would have meandered into discussion of the political situation and taking a leaf out of their book——

Mr. HAMIDUL HUQ CHOWDHURY: Sir, Mr. Kabir who was preaching against digression, himself declares that he is digressing. Others incidentally digressed but he declares that he is digressing. When he admits digression, is it to be permitted?

Mr. HUMAYUN KABIR: It is not a point of order. In any case, though I am tempted to follow in the footsteps of my honourable friends, still the sense of duty—the fact that you have ruled otherwise, will keep me to the specific motion before the House.

Well Sir, the Hon'ble the Leader of the Opposition is one whose speeches I have in the past admired—who has always brought a good deal of knowledge and study and labour to the discussion of any subject which has come before the House, even though it is my misfortune that we have always been opposed to each other. When I was in the Opposition he was a supporter of Government and yet very often in his speech he expressed his sympathy with my point of view. But through change of circumstances when we are today supporters of the Government, we find my honourable friend, the Khan Bahadur on the other side. It seems fated that in spite of a good deal of agreement, we must always remain opposed to each other. It seems that in the motion which he has moved, that attitude, that spirit of

mere opposition which I have commented on and regretted in the speech of Mr. Hamidul Huq Chowdhury has affected him as well. There is no doubt that the Opposition has a right to criticise. There is no doubt that it is the function of the Opposition to point out the mistakes of Government, if any. At the same time, the Opposition owe an obligation to the country and to the Legislature to put forward the constructive suggestions they have to offer; and from that point of view, I submit, Sir, in playing the skin game of politics, the Opposition has today exceeded the bounds which are generally set to such discussion. Even where there were constructive suggestions in their speeches, they were used in a spirit of—shall I use the term cantankerousness—or if it is not permitted, a spirit of negative and destructive criticism which did not recognise the great difficulties in which the present Government is placed. They did not give value to whatever little attempts Government have made in order to overcome these difficulties.

Sir, what is the situation in Bengal today? That there is great economic distress nobody can deny. When we find a situation in which rice sells at Rs. 8 per maund even under controlled price, when we find a situation in which in the mofussil jute sells at three or four rupees a maund, there is no single citizen in Bengal who will not regret the economic disaster which is facing the province. There is no single member either on the Government side or on the Opposition who will not attempt to find out whatever solution he can for the solution of this *impasse*. At such a time, I should have thought that one would give up one's party affiliations, or if not one's party affiliations, at any rate one should give up the idea of placing the interests of his own party before the interests of the country. In times of crisis even great differences on political questions have to be overcome and all the resources, all the talent that may be available to the country should be pooled together in order to pull the country out of the morass into which it has been thrown by the play of forces over which neither the Government of Bengal nor even the Government of India have any control. I should have thought that this is not the time when party politics should be exaggerated. I must regretfully state that important members of the Opposition have even at this most momentous crisis,—when Bengal is threatened in a way in which in the course of her long history she has never been threatened,—taken to the skin game of mere party politics. This is my regret, Sir. The Opposition has the right to criticise the Government, they have the right to attack the Ministry but there are occasions when that right cannot be exercised and should not be exercised, but that right should be kept in abeyance and the supreme interests of the country and of the nation kept in the forefront in order to enable all the resources of the country, all the ability of the country, to be pooled together in order to save the country from disaster and destruction. Sir, from this point of view, I cannot but say that the Opposition has failed and they have not yet made—with the single exception of Mr. Hamidul Huq Chowdhury—any constructive suggestions, which the Government and the Legislature have a right to demand from the members of the Opposition. Sir, may I know how much time I may expect to finish my speech?

Mr. DEPUTY PRESIDENT: You may go on but please conclude early.

Mr. HUMAYUN KABIR: All right, Sir. As I said at the very outset, it is our business to try to devise means to pool our resourses together. Sir, I had certain constructive suggestions to make but I am much constrained for want of time. Therefore, I shall be very brief since the blue light is on and at this blue hour of the debate when moments are fleeting fast I would briefly state my points.

Sir, the question of price-control has been raised. There is no doubt whatsoever that the price-control, as exercised, has not proved satisfactory and it must be overhauled. Certainly there have been factors in the shape of the "denial" policy of the Government of India that has in part been responsible for upsetting the general economic life of the province and I think this much can be said on behalf of the Ministers, that they have sought, they have tried their best to see that those things are only "denied" but not scorched. So far as I know, of course as outsiders we do not know what exactly happens in the Government and what exactly goes on between the Government of India and the Government of Bengal, but from what we read in the papers in March or April last, there was a suggestion that the Government of India was thinking of applying the "scorched earth" policy to Bengal. It did not relate to foodstuffs alone but to all the economic wealth in areas which might be accessible to the enemy. We do not know, Sir, what went on behind the scenes, but we do know that there was no scorched-earth policy for Bengal, but only denial.

(At this stage the honourable member reached the time-limit and resumed his seat.)

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, let me first express my regret to the honourable Leader of the Opposition on account of my absence when he moved his motion. I could not hear the wise words that fell from him. Before I proceed to the main subject of this motion, I would, with your permission, like to answer very briefly the charges that have been levelled against me by the honourable members of the Opposition. Let me first take what has fallen from my friend Mr. Hamidul Huq Chowdhury. I do realise that my honourable friend who is a leading advocate of the Calcutta High Court has no personal opinion of his own, the reason being that an advocate's only business is to plead his case who pays him more. If today the defendant has to get an advocate to plead his case, he has only to pay him and the advocate would plead his case. Again, Sir, in the same way the plaintiff's case also would be pleaded by the same advocate if he is paid. So, it may be seen that the same advocate can plead both for the defendant and plaintiff, according as it suits his purpose. I do hold therefore that the opinion of an advocate is not within the purview of the members of the House. I submit, Sir, that those opinions are——.

Khan Sahib ABUL QUASEM: On a point of order, Sir. Is Mr. Hamidul Huq Chowdhury an advocate in this House or a member?

Mr. HAMIDUL HUQ CHOWDHURY: Yes, Sir, I am an advocate here to advocate the cause of my constituency.

Mr. DEPUTY PRESIDENT: That is not a point of order. Yes, Nawab Bahadur, you go on.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Now, Sir, this reminds me of the remark of an honourable member of this House the other day when he said he heard the roaring of the lion in the House—roaring of the lion of the House of Elders—I would rather say it was the howling of a prowling hyena—howling in the wilderness.

Then, Sir, turning to the speech of my friend Mr. Hamidul Huq Chowdhury it may be noticed that it was full of tirade against the present Government. It seems that my honourable friend wants to foist all the blame of the destruction of human lives and properties starting from Chungking to Stalingrad and Australia to the Aleutian Islands, on the shoulder of the present Government. I am very sorry he has forgotten that since the starting of the present Government there has been transport difficulties owing to military movements, and the present Government are working under great handicap. In the course of his speech he remarked that the Agriculture and Industries Department ought to have been placed in charge of the best man in the present Government. May I ask him who was in charge of this very Agriculture Department before and who has been in charge of this department for the last two and half years, since the war has started? May I ask my honourable friend under whose charge was the Commerce Department placed for the last two and half years since the war started? It is no doubt true that the present Government has not been manipulating the Fatka market. (Mr. HAMIDUL HUQ CHOWDHURY: You will hear more of it.) Well, Sir, I have heard what he has said and now let him hear what I have got to say. (Mr. HAMIDUL HUQ CHOWDHURY: We shall give you details, figures to show and strengthen our case.) When the details will come, we shall be able to refute those charges. Now, Sir, the ex-Leader of this august House has criticised our activities as an ex-Leader of this august Council, I naturally expected to hear certain constructive suggestions from him. But I have heard only criticisms. Suggestions which would have been helpful in our present very difficult task have not been made. Instead of that, I was surprised to hear him complaining that this has not been done or that has not been done. Sir, we have accepted office. We, as Ministers of the Crown, are here to see that law and order is maintained. There is no denying the fact that when we have taken the responsibility of maintaining law and order, it is our

duty to see that sabotage and such other insane acts of the people are stopped by employing all the forces that are at the disposal of Government. But at the same time let me tell Sir Bijoy Prasad Singh Roy, the ex-Leader of the House, that we as representatives of the people should also see that no excesses are committed. That is also a part of our duty. As responsible Ministers and not as irresponsible Ministers who were in the——

Sir BIJOY PRASAD SINGH ROY: Sir, on a point of information. May I know who permitted the machine-gunning of the people in the Krishnagar area? Was this Government responsible for that? Was that done with the acquiescence of the present Government?

Mr. HAMIDUL HUQ CHOWDHURY: May I, Sir, also rise on a point of information? Sir, public rape of women by gangs of soldiers were committed upon 80 women in Noakhali. May I know what steps have the present Government taken to punish those miscreants. Two women were murdered in the course of the rape.

Sir BIJOY PRASAD SINGH ROY: Sir, let me have my answer. Was that machine-gunning done with the acquiescence, with the concurrence and knowledge of this present Ministry?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That answer can be readily got from the Chief Minister.

Sir BIJOY PRASAD SINGH ROY: You have taken on your shoulder the responsibility of answering my questions. You should supply this information. I challenge you.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, may I know what is all this heat due to. Is an honourable member entitled to address any other honourable member of this House in that haughty and indignant fashion in which Sir Bijoy has done? He has brought some charges which are almost atrocious untruths.

Sir BIJOY PRASAD SINGH ROY: I repeat that it has been given out by the Deputy Commander-in-Chief in the Council of State that there had been machine-gunning on certain people——

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, how is this relevant to the present motion?

Mr. DEPUTY PRESIDENT: When the Hon'ble Nawab Bahadur gave way, I thought he yielded to the demand of Sir Bijoy Prasad for certain information.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I did not know that Sir Bijoy would raise such things. Had I known this, I would not have given way.

Sir BIJOY PRASAD SINGH ROY: Better avoid answering that.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Well, Sir, it is no question of avoiding. However, Sir, as I was saying as responsible Ministers it is our duty to see that law and order is maintained. At the same time, it is our duty to see that excesses are not committed.

The Hon'ble Mr. SANTOSH KUMAR BASU: Dishonest opposition is not wanted.

Mr. HAMIDUL HUQ CHOWDHURY: Is the expression used by the Hon'ble Mr. Santosh Kumar Basu in order, Sir?

The Hon'ble Mr. SANTOSH KUMAR BASU: I do condemn opposition which is dishonest.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, there will be simply abuses from both sides. It is not his monopoly——

Mr. DEPUTY PRESIDENT: Order, order. I would appeal to the honourable members to allow the proceedings of the House to continue peacefully.

Sir BIJOY PRASAD SINGH ROY: What is your ruling on the point of order raised by Mr. Hamidul Huq Chowdhury? Is the Hon'ble Minister entitled to use the expression "dishonest"?

Mr. DEPUTY PRESIDENT: The word is not parliamentary.

Sir BIJOY PRASAD SINGH ROY: Will he withdraw?

The Hon'ble Mr. SANTOSH KUMAR BASU: If you ask me, Sir, I will withdraw.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I shall now try to give details of the steps taken by the Government in regard to food-supply. Sir, it is not part of my case to try and make out that the position as regards supplies of everyday commodities and prices is satisfactory. Obviously it is not. I for one do not see how we can expect it to be satisfactory at a time like the present. Our neighbouring country of Burma has been invaded and occupied by the enemy; our own province of Bengal has been the recipient of hundreds and thousands of refugees; it is the scene of active military preparations for defence and the virtual arsenal of democracy in this part of the world, working at high pressure under the threat of a land attack. What concerns me and what will interest the House is whether we the Government could have done any thing more than what we have done to meet the situation and what we are proposing to do about it in the future.

Let me remind the House first of all of one thing. The situation of which we are at present complaining is of rapid and recent development. The shortages of commodities and the high prices that have resulted have all occurred in the last 3 or 4 months or less. Even if we could have foreseen this sudden development, three or four months would have been all too short a time in which to build up the powerful and complex organisation which will be essential to tackle these baffling problems. The organisation that we had for price control was a small one and its resources had never been severely taxed. During these 3 or 4 months this small organisation was called upon to improvise methods of dealing with an unprecedented situation and it is not to be wondered at if, confronted with so vast a problem, the organisation itself broke down under the strain.

Let me say one other thing. We hear from time to time suggestion that what is needed is drastic action. We are sometimes reminded of the action taken in Calcutta by the Bengal Government at the beginning of the war which had so salutary an effect on profiteering. I was a member of that Government and know all about that action. It was right and successful, but that does not mean that the same action would have the same effect now; the conditions are totally different. The profiteering in September, 1939, was a mixture of temporary panic and sheer wickedness. But except in the case of a few imported commodities there was no shortage of supply and no difficulty of transport. A sharp lesson was enough to bring the profiteers to their senses and by the time they had recovered from the shock, it was perfectly obvious to everyone that all the main commodities were so plentiful that there could be no fear of profiteering. The situation today is different. In some commodities, such as kerosene oil, there is a very real shortage. In others such as sugar there is no shortage at all in India as a whole, but there has been a great shortage of transport, which has made supply of sugar very much worse. In the case of rice I very much doubt whether the shortage is nearly as bad as some people would make out, or whether taking Bengal as a whole there is a real

shortage at all. But there is no doubt that one thing has combined with another to create a very real impression of shortage and you cannot remove that impression simply by taking what is called drastic action against individual dealers. If you frighten the dealers too much you may only increase the impression of scarcity.

Take again the case of salt. Every one knows that a few months back shipping in the Bay of Bengal was subjected to unusual risks and some ships were actually lost. Of course there was a shortage of salt for a time and of course the price had to be raised: Was it to be expected that salt merchants and shippers would bring salt all the way round the coast of India in times of danger and sell it for the same price as they could in times of peace? There is no scarcity of salt now and the prices are not unreasonable. Not only are two months' supplies in stocks but new supplies are arriving satisfactorily for the present. This is not because we have taken drastic action against salt dealers but because, with the help of the Government of India, we have made special arrangements to import salt.

We shall do our best to increase imports of other things that are short; but these arrangements take time and while they are being put into force there are bound to be times of shortage and high prices.

I will not deny that there has been profiteering and there still is. But I do say it is not merely a question of profiteering and that no mere man-hunting for the profiteer will solve our difficulty.

I have not yet answered the question—what are we going to do. The first thing we have to do is to create an organisation big enough to study and tackle these problems. We have begun to do that. The details of our organisation will have to be worked out as we gain experience but the general plan is as follows: The Provincial Directorate of Supplies will work directly under the Minister but its office is located outside the Secretariat, at the corner of the Hare Street and Church Lane. In the same building is the office of the Controller of Civil Supplies for Calcutta who deals with all local matters relating to the Calcutta area.

Each district and subdivision will also be given special staff for this work so that mufassil work can be fully organised and co-ordinated under the department with the help of District Magistrates. One of the most important jobs will be the quick and accurate collection, analysis and publication of information about the actual state of supplies and prices in different parts of the province, and a great deal of very skilled and complicated statistical work will have to be done in order that those responsible may be given full and punctual information of the right kind. Then there will be the task of keeping ourselves informed about supplies and transport from other parts of India and helping, so far as necessary and possible, to keep supplies flowing in. Another task, and one which will perhaps

be the most difficult task of all, will be to work out methods in consultation with the various trades, to ensure, if possible, that supplies are duly put on the market and fairly distributed by the trade itself. For this purpose close co-operation with small but influential trade committees will be essential; the ideal arrangement would be for efficient schemes of rational and honest distribution to be agreed upon between the trade and the Directorate of Supplies: the Directorate would then be in a position to use its powers in such a manner as to secure the enforcement of such schemes. The working out and enforcement of such schemes is not going to be an easy job nor a quick one—but if by these means the Provincial Directorate can eventually ensure a reasonable distribution of goods to Calcutta and to the different areas in the province, half the battle will have been won: it would then be easier for those in charge of particular areas to deal with proper distribution within their own localities: at this point they might derive the greatest possible assistance from well constituted local committees or councils on which both consumers and businessmen of the locality were represented. I can only indicate in broad lines the developments of which we are thinking. Progress must depend on experience. How big our own organisation will have to be is more than I can tell you today. If trade co-operates, our organisation may turn out to be comparatively small, and when I say comparatively small I am thinking of 150 to 200 officers and inspectors over the whole province and a considerable clerical staff to assist them. If however some trades do not co-operate we shall have to take more and more on our own shoulders; and our organisation will be proportionately larger and more complex. Needless to say we are going to try the methods of co-operation first. The exact methods to be adopted for the control of the main foodgrains will depend to a considerable extent upon the All-India policy now under consideration of the Government of India. But I can say at once that the licensing of all wholesale dealers is an essential part of this policy, and we mean to push this project through before the winter crop comes into the market.

Now let me deal in particular with certain other commodities:—

Wheat: We depend entirely for our supplies of wheat upon the Government of India. I can only say that we have lost no opportunity of impressing upon them the very great importance of maintaining adequate supplies to this front-line province and its all important industrial areas.

Sugar: As I have said before, the main cause of scarcity of sugar is shortage of transport and the House knows whose fault it is that transport from our principal sugar factories in North Bihar has been so dislocated of late. At the same time we must frankly admit that many of those who trade in sugar, at any rate in Calcutta, have taken the most shameful advantage of the shortage. It was to defeat such gentry that the department attempted to enforce a rigid control of sugar distribution; but, as we have already admitted, the organisation necessary to undertake such a

control did not exist and could not be brought into existence at such short notice. We decided therefore that we must abandon that kind of control and work out a better system. It was at this point that the recent disturbances intervened to aggravate the position. Well, we have got to work on the question of transport and we hope before long to get sugar moving again. We got a certain quantity, though small in comparison to Bengal's monthly need allotted to us by the Sugar Controller from new sources of supply: we must confess that it has been slow in coming and we are doing all we can to spread it up. Sugar from other sources may have to come by new routes and new methods of transport although some of them may be more expensive. But we will get it moving as far as we can and if the trade is prepared to co-operate we shall ask their assistance in getting it distributed equitably and at a reasonable price. Meantime as an interim measure the Directorate of Civil Supplies has decided to take control of 25 per cent. of all sugar coming into Calcutta: this will be distributed through approved shops on a published list. None will go to favoured individuals.

Kerosene oil: There has been a cut all over India of 50 per cent. in the sale of kerosene oil. Some consumers however, for example, Government Treasuries and public bodies cannot reduce their demands by as much as 50 per cent. That means that the ordinary consumer will get less than 50 per cent. and will have to make the best of it. Here again, our efforts will be directed to securing reasonable and wide distribution with the co-operation of the trade. A scheme is now being worked out after discussion with the oil companies, to get better control of distribution and we hope it will produce an improvement in fair distribution at proper prices. It is a scheme that will give the established trade a square deal as long as he trades honestly, but, if properly worked, will force him out of business if he tries tricks.

Mustard oil and dal: Both these are imported commodities and we are well aware that for some time it has not been possible to obtain them at the control prices. We did not at first alter the control price because we did not wish to do so during a period of temporary dislocation, but we did relax control and I am glad to say that supplies are now coming and prices are lower than they were.

Cloth: We had hoped to get a large quantity at cost price standard cloth before the Pujas and I much regret that our hopes have been much disappointed——

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: May I know what is the quantity and at what price they will be available?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Wait, let me finish my speech. We were surprised to find that our estimated

requirements would absorb something like 90 per cent. of the total production of this particular cloth. We shall press for the earliest possible delivery as soon as initial difficulties can be removed.

I would like now to make clear our position as regards obtaining supplies for particular consumers or groups of consumers. I must emphasise that Government cannot permit the Directorate of Supplies to assume responsibility for supplying things to individuals. When the supply of an article is prohibited except under permit then of course an individual can usefully approach the Controller of Civil Supplies for a permit to obtain that particular article. But that is a totally different thing from obtaining foodstuffs or other articles for every day use which the shopkeepers are perfectly free to sell. For things of that kind the public must look to the shops. We know that often there is difficulty in buying things at the shop at controlled prices. When that is so it is always due to shortage of supply and that is why our problem is to attempt to regulate supplies all over the trade and not to hand out little bits of this or that to any individual. It may be there are cases in which we may make or try to make special arrangements for essential supply to a whole class of persons, e.g., industrial labour or to labour engaged on essential services or to the poorer classes of Calcutta by the opening of sale of rice through approved shops. But such arrangements can only be made for large classes of persons as a whole and not for numerous small groups or particular individual needs. We have, as the House is aware, arranged for the supply in Calcutta of rice at controlled prices from a considerable number of shops—fifty to begin with and this number has been increased. We have also arranged to assist the Calcutta Corporation in supply of rice to certain of its essential labour so long as we are in a position to offer them rice on terms more favourable than the market can provide it. There have been from time to time suggestions that undue preference was being shown to the Bengal Chamber of Commerce. Let me therefore say what the facts are. Th firms associated with the Bengal Chamber employ nearly half a million of the labourers in the industrial area in Calcutta. Many of these firms had long ago set up cost price shops and were supplying food to their labour when the present difficulties began. The Chamber then decided to set up its own purchasing organisation in order to obtain supplies for its members and at that stage approached Government for help. The only actual supplies that we promised to this organisation were the loan of very small quantities of mustard oil, atta and dal on strict conditions of replacement and the sale at reasonable rates of a quantity of rice in the possession of Government. That quantity would, at the maximum, have allowed four seers per week for each labourer and his family: the supply was to be for one month only and even that quantity was not guaranteed to the Chamber. It was made clear to them that this could only be regarded as an emergency measure and that they must look to the ordinary sources of supply to meet their requirements. I acknowledge with appreciation that they have fulfilled their part of the bargain handsomely; They have bought rice for themselves in the market despite the difficulties and have drawn upon our supplies to the extent of less than half of the maximum amount that we

had promised. Let me emphasise also that the same facilities have been offered to the Indian and Bengal National Chambers of Commerce provided that a scheme can be drawn up to apply to industrial labour under similar conditions.

It would however be impossible for Government to attempt to provide supplies, even if they held them, for a large number of small groups of consumers. The task of determining the priority of their respective claims is one which nobody could undertake to discharge at short notice, and our policy must be directed to creating the conditions under which supplies can get into the market and under which a small or temporary shortage will not necessarily lead to hoarding or to panic increases in the price level.

To fulfil that policy we shall use our best endeavours and spare no effort. We shall work in the closest accord with the Central Government, who in many respects may prove to be the only authority capable of taking effective action. But in a province which stands on the edge of battle field and in the midst of war which is revolutionising the economy of the whole world we cannot promise that we will maintain the price of every main commodity at a stated level or that we can remove all causes of hardship and dissatisfaction. We will do our best and in so doing we are entitled to ask for the help and the forbearance of this House and the public.

As my honourable colleague the Finance Minister has already stated in another place, we have committed ourselves to a certain export of rice to Ceylon and other places for war effort. But I would repeat that even if we send out the whole of the rice that has been asked for before the next crop, that will be two days' consumption for Bengal. I assure honourable members that there is no cause for alarm.

Now, Sir, in regard to the steps which we have taken for increasing the food-supply of the province——

Mr. DEPUTY PRESIDENT: May I know how long the Hon'ble Minister will take to finish his speech?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I shall finish only in a few minutes.

Now, Sir, as soon as it could be seen that the fall of Burma was probable, the necessity for safeguarding food supplies in the country assumed a position of commanding importance, partly because the important sources of supply would be cut off and partly because the approach of the war so near to Bengal was sure to throw an increasing strain on transport facilities. Government took immediate steps to ensure all possible means of increasing food supplies within the province, and to enlist the support of all sections of the people. A mixed committee for food production consisting of both officials and non-officials was at once established in order to ensure that Government had the advantage of the best available advice; and a comprehensive scheme of propaganda was put into effect.

The directions in which the province felt short of being sufficient of food supplies were pointed out, and the urgency of the need to increase food production in every way was strongly emphasised. Not only should uncultivated lands, if possible, be under cultivation, but it is important to use the best seed available, to cultivate as intensively as possible and in particular to utilise all available local resources for increasing the supply of manure. The propaganda was started by a joint appeal issued by Hon'ble Chief Minister and myself supplemented by covering appeals to members of the Legislature, to leading landlords, to the chairmen of local bodies and other persons of influence. Posters and leaflets were distributed to every village; plates and pamphlets hoarding on stations and kiosks in market places, the cinema, radio and gramophone were all used to help. The response from the public was excellent. Many landlords issued their own appeals, and some official prizes for the best results. Officers of all Government departments including the district staff and the officers of the Jute Regulation Department as well as those of the Agricultural Department itself were directed to co-operate. There seems no doubt that the urgency of the need was fully brought home to every part of the province as well as the method which could be usefully employed in the summer season. Further propaganda for the encouragement of *rabi* crop is now being commenced.

The cost of the initial propaganda was roughly Rs. 25,000 and that of the *rabi* season propaganda has been estimated at Rs. 24,000.

It should perhaps be noted that this propaganda is specially important, because of the improbability of Bengal being able to have in the current year the same acreage under paddy, the main crop, as there was last year. For one thing last year the monsoon was exceptionally favourable and there was bumper crop in almost all districts. There are large areas especially in Western Bengal which only grow paddy in the years of exceptionally favourable rainfall. Although this year is not exceptionally unfavourable, it must be admitted already that the season has not been so favourable as last year. Furthermore, there have been special difficulties due to the military situation. Certain areas, fortunately not very large, had to be made over altogether for the use of the military, and a broad belt about 50 miles wide along with sea-coast has been affected by the policy of denying transport to a possible invasion by the enemy. Though the ordinary activities of the people of those parts have necessarily been sadly hampered, it is believed that ordinary cultivation has been carried on; but in view of the difficulty that might at any time arise in removing any surplus from that area it has been thought wise not to extend the "Grow More Food" propaganda to those parts.

In Bengal the pressure of the population on the land is already so severe that even in normal times there is very little land available for cultivation that is not already cultivated. It is necessary therefore in the main to concentrate on methods of increasing the yield from land already under cultivation. Of these one of the most important methods is that of using the best seed. In regard to paddy a number of improved varieties

has been found by the Agricultural Department which give a material increase in yield of other varieties in suitable areas. With a view to making sure that as much as possible of the improved varieties was used as seed rather than as food, Government sanctioned an expenditure of roughly Rs. 16,50,000 for the purchase of paddy seed and for its resale to the cultivator on a *sowai* system, that is to say, that for every seer of seed he receives he should give 1¼ seers at the time of harvest. As it was not possible to commence the work until the harvest had been completed, the greater part of seed had already been disburbed, and actually 1,98,000 maunds of improved seed were distributed at a total cost of Rs. 9,25,000. Government have similarly sanctioned Rs. 1,50,000 for the purchase and redistribution of *rabi* seed. Up to date 4,220 maunds of mustard, 4,417 maunds of gram and 4,414 maunds of lentils have been purchased at a total cost of Rs. 85,000; but owing not only to normal demand but to the possibility of the extension of double cropping it is thought likely that the whole amount sanctioned will be fully utilised and probably a further amount will be required.

Special attention has also been paid to the providing of facilities for obtaining seeds of English vegetables and of potatoes since. For the most part this province has always relied on imports for its supply of these seeds. In regard to English vegetable seeds a large part of the supply used to come from England, but export from there was entirely prohibited. By the efforts of this Government small supplies have been obtained from England, from the United States of America and from South Africa; and other supplies are being obtained from other parts of India. Rupees 4,65,000 has been already spent in regard to potato seeds. We are also trying to increase the supply of fish.

I have given above in as brief a time as possible the steps that have been taken by Government. I am free to admit that we have not been able to tackle this problem completely and if we had been able to do so, we would not have started a new department. I shall take into consideration all that has been said on the floor on this subject by honourable members on both sides of the House when considering the future both of the price control and of cultivators. Under these circumstances I hope that the Hon'ble the Leader of the Opposition's motion will not be pressed to a vote.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Mr. Deputy President, Sir, first of all I would like to give a reply to some of the members who have not properly understood the purport of my motion. My friend Mr. Lalit Chandra Das—I do not know whether intentionally or unintentionally—remarked that I did not read the statement of the Premier and that without reading the statement I was charging the Chief Minister that he had not mentioned anything about the economic crisis in his statement. But, Sir, I may tell Mr. Das that I have carefully read the statement and I will show that the Chief Minister has not at all referred in his statement to the economic crisis which has arisen on account of the high price of commodities. He had merely referred to the difficulty of the people in

getting the commodities which were necessary for the sustenance of life at a fair price, and made certain suggestions as to how the supplies could be made available to the people at a fair price. That was what he has dealt with in his statement, but my point was quite different from his. My point is that even at the controlled price which was nearly 75 per cent. above the normal prices of the commodities, the people found it extremely difficult to purchase them; so much so that they are on the starving point. Sir, it is perhaps not known to the House that in the rural areas about 75 per cent. or 80 per cent. of the people are practically starving from day to day and are living at least on quarter rations. In Bengal we know that 60 per cent. of the population have to live even in normal times on half diet for nearly six months in the year and now on account of this abnormal increase in the prices of staple foods which is as much as 75 per cent., it has become impossible for the poor people and the cultivators even to get quarter ration. How is the situation to be met? How is this critical position to be met—that is the problem with which we are confronted at the present moment, and we expected something on that problem from the Chief Minister's statement. He did not even say that he was aware of the difficulty and that he was anxious to do something to relieve the distress of the rural people in the agricultural areas. Sir, the agricultural labour population of Bengal is estimated at 2 crores and 36 lakhs according to the last census, and it must have increased to nearly 3 crores now. Smaller agriculturists, who have no surplus crops to sell, comprise 25 per cent. of the population. So 80 per cent. of the aggregate population is vitally affected by this rise in the prices of articles. They are finding it extremely difficult to get even one meal a day. What is the Government doing to relieve their distress? Mere transport control or price-control at 75 per cent. higher than the normal price will be of no benefit to the poor people. I do not understand how we can call it a price-control if the controlled price is 75 per cent. higher than the normal price. Even according to the statement of the Hon'ble Chief Minister, Bengal is self-supporting in respect of rice: we have just now heard the speech of the Hon'ble Minister in charge of Agriculture that there is no shortage of rice. If that be so and if Bengal is self-supporting in respect of rice, why then the price of rice is so high? I put this clear question to the Hon'ble Minister. When he was reading his speech I enquired of him why the price was as high as 75 per cent. of the normal price, if there is no shortage of rice; but he gave no reply. There may be two causes for the rise of price. It may be due to very large export of rice or it may be due to profiteering or hoarding. These are the two causes. The Hon'ble Minister has said that the export has been very small and does not affect the price. Then, Sir, we take it that the abnormal rise is not due to export and it is due to profiteering or hoarding. The Provincial Government can put this down as they have got special power for dealing with hoarding and profiteering. If they have got power, why should not they stop profiteering? Why should not they stop profiteering in respect of paddy and rice at least? When it has been said that our export is not beyond the ordinary limit, why should not people get rice at normal price?

Is the Government doing its duty by fixing a controlled price 75 per cent. higher than the normal price? I put this question point blank. The Hon'ble Chief Minister promised *dal bhat* to the people. I say, we want *noon bhat*. Our people of the rural areas do not get *noon bhat* even once a day. These poor people get a wage of four annas a day. Even that all of them do not get. With four annas they do not get even one seer of rice. Just imagine the plight of these men—a wage-earner of annas four, having three or four members in his family, does not get more than a *poa* of rice for each member of his family and they will have to subsist on that: they will have nothing for the purchase of salt. This is the condition under which the people in the rural areas are living. We are not concerned with the 25 or 30 per cent. of the population—the richer class—but we are concerned with the 80 per cent. of the people whose chief food is rice and salt; and we must make provision for rice and salt for these poor people. So far as my motion is concerned, I shall be content if the Government can provide *noon bhat* for the 80 per cent. of the population with whom we are concerned. But are we sure about that? Sir, the Chief Minister's statement deals with the question of the necessaries of life being made available in all places at fair prices; but the statement does not deal with the economic crisis. This economic crisis is the problem of all problems. This is the problem which affects 4 out of 5½ crores of the people of this province. It is extremely unfortunate that we shall have to go back to the countryside and say to the people that the Chief Minister had nothing to say on the economic crisis through which the people are passing. Sir, the prices have gone up. Even the controlled prices have gone up by 75 or 100 per cent. The Chief Minister has not said anything about jute which is the only money crop of Bengal. No step has been taken to give relief to the agriculturists who constitute 50 per cent. of Bengal's population and wage-earners who constitute 30 per cent. of the population. It is well-known that these agriculturists used to get half ration in peace time; now they will have to go on with quarter ration. And, Sir, what about the children of the hungry cultivators? How to feed them and how to clothe these children? We have heard that we have a Labour Commissioner who is preparing a cost of living index. The Ministry should have taken every step to lower the prices of the different commodities and increase the wages of the people. The prices can certainly be lowered by stopping profiteering which the Ministry has admitted is going on. Sir, during the last war the price of rice at least was below normal. Sir, the price of rice cannot be but normal unless there has been less production or excessive export. The Ministry could increase produce of paddy by actually insisting on reclamation of 37 lakhs acres of the culturable waste lands. These lands are lying idle. These are not uncultivable lands. There is no proposal regarding the reclamation of vast lands lying fallow. I may tell the House that I have been trying for the last 2 or 3 years to reclaim the vast Bhati area in the district of Mymensingh which is remaining fallow for the last 10 years. Two or three schemes have been sent by the Agricultural Engineer of Dacca after local inspection. It is nearly a year since those schemes were submitted. About six months ago I enquired about the matter and the Government

replied that they were under their consideration. This time also I put a question on the subject and the reply given was that it is still under the consideration of Government. Well, Sir, this is the way how we are proceeding. If we sincerely want to increase the food products, we must take up the reclamation of these huge waste lands which are lying fallow for a long time. The other day we saw in the Papers that the Government of Assam was in a position to state definitely that they expect 30 per cent. additional potato crop and 20 per cent. additional *aus* paddy crop. We ought to have a committee in every Union and we should have figures from these committees. The Ministry should have insisted on their executive officers to collect these statistics. Has anything like that been done? I have been charged with not making any constructive suggestions. I did make certain suggestions. I have mentioned about export, that it would be dangerous if any export is allowed, and I have definitely stated that more food products should be grown by reclaiming culturable waste lands. Then comes the question of jute crop. What a muddle has the Ministry made with regard to jute! Have they done anything towards raising the prices of jute? When the quota was increased from 5 to 10 annas, Japan had not come into the war. As soon as Japan came to the scene of war, it was the duty of the Ministry at once to reduce the quota to 5 annas. On the contrary, pamphlets were issued telling agriculturists to sow jute at least on 8 annas. As a matter of fact, some of the jute-growers approached me to enquire, whether they would be liable to punishment if they grew jute on less than 8 annas land. I told them they could not be punished. They could grow on lesser area, and I advised them to grow on lesser area. Now we are being told that the Ministers are going to approach the Government of India. Why so late? The jute is passing out of the hands of the real agriculturists. Real agriculturists are now getting 2 or 3 rupees per maund only and if help comes from the Government now, the benefit will be derived by middlemen. Is that desirable at all? Sir, I now come to the question of cloth. We have been told that standard cloth is coming. I questioned what will be the quantity of that cloth. On calculation I find at the rate of 8 yards per head, 4 crores of people will require 320 million yards of cloths for the next six months. How much are the Government going to get? What will be the price of the standard cloth? Are we to sleep with the idea that we will get all our wants satisfied? Will the price of the standard cloth be such that it will suit the purse of the poor—the poorest of the poor? It was the duty of the Ministers to find out what is the amount of cotton available in Bengal and whether the Government are going to have sufficient quantity for clothing the entire population of Bengal. They must see to the working of the mills. If the outturn was not sufficient, they should have insisted on double-shift or triple-shift work in these mills, so that the requirement could be met. They should have gone in for jute cloth. We must clothe our people. We should have sack-cloth for them at least. We find in rural areas they do not get even rags to hide their nakedness. We are doing nothing absolutely. Are you sure that the standard cloth will be available in sufficient quantity and at prices which will suit the poor? They should

be sold at the rate of 4 annas per piece. In that case, the poor will be able to hide their nakedness. If we get only one million yards of standard cloth, it will be nothing. Our requirement is 320 million yards. We do not also know when the standard cloth will be coming to the market, if at all; or if it comes, will it serve the purpose for which Government want to indent them? Will the quantity as well as the price of the cloths be sufficient and suitable for the agricultural and rural population of Bengal? Perhaps only about one million yards of this cloth will be brought and the price per yard will be one rupee and eight annas, a price at which the poorest of the people can hardly afford to purchase them. If that be so, the object of the standard cloth will be defeated.

Therefore, I appeal to my friends on the other side to say——

Khan Sahib ABUL QUASEM: On a point of order, Sir. Was it not proper and necessary on the part of the Hon'ble Minister in charge of the department who replied on behalf of the Government and who himself asked for constructive suggestions from the Opposition, was it not proper and necessary for him to remain in the Chamber and wait for the reply that was going to be given to him by the Hon'ble the Leader of the Opposition who is an admitted authority on the subject?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: The Hon'ble Minister was in the House so long and has just left the Chamber for some rest after delivering a lengthy speech.

Sir BIJOY PRASAD SINGH ROY: Perhaps he felt very tired and thirsty!

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: I appeal to the honourable members sitting opposite to say if they are satisfied with the action that has been taken by the Ministry so far and if they think that the Ministry has done its duty to their constituencies. If they are satisfied, then I have nothing to say. But if they honestly think that many more things have to be done for the poorer classes of the poeple, they ought to vote for my motion. If they are not honsetly satisfied, then they should vote on an important matter like this without any regard for party affiliations. This is a matter of very great importance, and I think it is particularly a matter in which everybody is interested. I have made some definite constructive suggestions as regards the standard cloth and rice. And if these two are met, then I do not care about sugar and other luxuries. Yes, I would not care for sugar and other luxuries. Let my suggestions about these two very prime necessities be satisfied and I do not want anything else. I would, therefore, request you, Sir, to put the motion to vote.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, there is not enough time for me to give a lengthy reply or to go into details and defend the Government's position; nor do I think it necessary to do so. But as some reference

to my statement has been made, I think it my duty to tell the House what the facts actually are. As regards the Ranaghat incident which my friend Sir Bijoy Prasad Singh Roy has referred to, the facts are that there was an Army reconnaisance and they mistook some coolies working on the lines as people who were out for purposes of sabotage on the railway lines. Bombs were dropped but fortunately there was no casualty. Far from this being done at the instance or knowledge or consent or connivance of the Bengal Government, we came to know about this incident only the day before yesterday, when news came to us in the ordinary course conveying the information.

Sir, before that we knew nothing and we are not expected to know anything about the reconnaissance flights of the R. A. F.

Now, Sir, as regards the statement made by my friend Mr. Hamidul Huq Chowdhury that there was a gang rape in Noakhali in the course of which as many as 71 women were ravaged. To this, all I can say is that there were these allegations and three stalwarts of the Muslim League went there for investigation fired with the determination to make a thorough enquiry and submit a report on the subject. But before they did so, it so happened that on receiving a contract of Rs. 52 lakhs from the Military authorities they all forgot about the report and never submitted a report at all——

Mr. HAMIDUL HUQ CHOWDHURY: On a point of order, Sir, they have submitted a report——

(Cries from the Government Benches: don't interrupt.)

The Hon'ble Mr. A. K. FAZLUL HUQ: They have never submitted a report.

Now, Sir, I have not got the statement of the Military authorities to show whether it is true or not, I shall let the House know what the fact was, as early as possible. There was an investigation by the District Magistrate and he found that the allegation of the outrage on women was substantially correct. But it was difficult to identify the culprits and without proper identification how is it possible to take action. We have been trying to ascertain from the villagers the names of the two persons who lost their lives, in order to give some monetary help to their families. If my friend Mr. Hamidul Huq Chowdhury will please let me have the facts together with the details, I shall be glad to take action in the matter. But the serious allegations that have been made that as many as 71 women were gang-raped, unless they are substantiated by fact, should be rejected; and I hope the House will reject that statement as untrue.

Mr. HAMIDUL HUQ CHOWDHURY: It is a fact and it is true——

(Cries of "sit down, sit down" from the Government Benches.)

That the Hon'ble Chief Minister was dragged by his party men near the place of occurrence to see the conditions of the place. He went up to a

distance of about 7 miles and then on being advised or having heard something from the Commissioner of the Division turned his back in spite of the request of his party men——

The Hon'ble Mr. A. K. FAZLUL HUQ: It is not a fact, and not true.

Mr. HAMIDUL HUQ CHOWDHURY: It is true, as the Hon'ble Chief Minister——

Mr. LALIT CHANDRA DAS: On a point of order, Sir, the honourable member is not entitled to make a statement again. So far as the motion under discussion is concerned, the Leader of the Opposition has replied and replies have been given by the Ministers from the Government Benches.

Mr. HAMIDUL HUQ CHOWDHURY: I am not making a statement——

Mr. DEPUTY PRESIDENT: Order, order. After reply has been given by the honourable mover of the motion and after both the Hon'ble Ministers have spoken, I cannot allow any further debate to go on.

Mr. HAMIDUL HUQ CHOWDHURY: On a point of personal explanation——

Mr. DEPUTY PRESIDENT: Order, order. The House now stands adjourned till 2-15 p.m. on Tuesday, the 6th October, 1942.

Adjournment.

The Council then adjourned till 2-15 p.m. on Tuesday, the 6th October, 1942.

Members Absent.

The following members were absent from the meeting held on the 2nd October, 1942:—

(1) Rai Bahadur K. C. Banerjee.
(2) Mr. S. C. Chakraverti.
(3) Mr. Humayun Reza Chowdhury.
(4) Mr. L. C. Das.
(5) Mr. B. C. Dutta.
(6) Mr. N. C. Datta.
(7) Mrs. K. D'Rozario.
(8) Mr. K. K. Dutta.
(9) Khan Bahadur Alhaj Khwaja Muhammad Esmail.
(10) Mr. K. L. Goswami.
(11) Khan Bahadur Muhammad Asaf Khan.
(12) Mr. J. McFarlane.
(13) Mr. Naresh Nath Mookerjee.
(14) Dr. R. K. Mookerjee.
(15) Khan Bahadur Kazi Abdur Rashid
(16) Dr. K. S. Ray.

BGP-42/3-8956A-950.

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session—No. 10.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 6th October, 1942, at 2-15 p.m., being the tenth day of the Second Session of 1942, pursuant to section 62 (*2*) (*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

Obituary Reference.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Mr. Deputy President, Sir, it is with a heavy heart that I have to announce the sad and untimely death of our friend and colleague Khan Bahadur Syed Muhammad Ghaziul Huq. Honourable members of this House had had occasion to know him for the last 5 years and so it will not be necessary for me to dilate on the manifold virtues that the late Khan Bahadur possessed. He had been ailing for over two years with serious heart trouble. On many occasions he used to tell me that he was dragging a weary existence. But we did not think that his end would come so soon!

Born with a silver spoon in his mouth and coming of a very ancient aristrocratic Muslim family in Eastern Bengal, his heart was always with the poor. I had known him since his boyhood and the best compliment that I can pay is that he was never able to say an unkind word to anybody. That was the most remarkable trait of his chracter. His family has long been connected with some important educational and medical institutions in Tippera. The Comilla Faizunnessa Girls' High School named after his grandmother and the Faizunnessa Zenana Hospital established so long ago as 1888, owe their existence to the generosity and great love that the late Khan Bahadur's family felt for the poor and the middle classes. He also followed in the footsteps of his ancestors. He was the grandson of late Nawab Syed Faizunnessa, the first lady Nawab in Bengal and was every inch a gentleman. He comes of a Muhammadan aristocratic family which has as many as four graduates, a record which is perhaps unique in the history of Muslim Bengal.

We deeply mourn the death of a man of such sterling worth and I hope the House will agree with me in expressing our sincere condolences to the members of the bereaved family. The rsolution that I beg to move runs as follows:—

"This Council places on record its deep sense of sorrow at the death of Khan Bahadur Syed Muhammad Ghaziul Huq and desire to convey its heart-felt condolence to the members of his bereaved family"

I hope the House will accept the resolution.

Mr. DEPUTY PRESIDENT: Resolution moved: that this House places on record its deep sense of sorrow at the death of Khan Bahadur Syed Muhammad Ghaziul Huq and desires to convey its heart-felt condolences to the members of the bereaved family.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: In rising to support the resolution that has just been moved by the Leader of the House, I am to say that we associate ourselves with every word that has fallen from the lips of the Leader of the House on this occasion. Sir, we were in closest touch with him, as he was a prominent member of our party. We know what a perfect gentleman he was. He was a true Mussalman, a perfect gentleman and an ideal zemindar. He was humility personified and pink of courtesy, as a true disciple of the Prophet should be. This is not the occasion to dilate on his qualities of head and heart, and we all pray that his soul may rest in peace. With these words, I support the resolution moved by the Hon'ble Leader of the House.

Mr. LALIT CHANDRA DAS: Sir, I associate myself with the resolution so feelingly moved by the Leader of the House. I learnt with deep regret the news of the death of the Khan Bahadur only this morning. I did not know that his death would be so sudden. All that I know of him was that he was highly cultured and every inch a gentleman; and I am sure the whole House will deeply regret his death.

Sir BIJOY PRASAD SINGH ROY: With a heavy heart I rise to associate myself whole-heartedly with the resolution that has been so ably moved by the Leader of the House. The Khan Bahadur was pink of courtesy and had many friends in this House. Nobly did he uphold the traditions of his ancient and aristocratic family. He always regarded himself as a true Mussalman and tried to behave as such. We all regret his death.

Khan Bahadur ATAUR RAHMAN: I associate myself with the sentiments expressed by the honourable members who have spoken before me. The Khan Bahadur was a quiet and unostentatious gentleman with dignified appearance. He had always been courteous and hospitable. He never showed that he was a man of great learning. I have myself seen his library which contained a large number of rare books of considerable cultural value. I fully associate myself with the sentiments which has been expressed in the resolution.

Mr. BANKIM CHANDRA DATTA: I am extremely sorry that myself being in mourning—having very recently lost my mother—on the first day that I am attending this Session, I have to mourn the loss of a valued colleague of this Legislature. Not knowing him very well personally, I feel I am unfortunate in that way; but I can certainly associate myself

with the sentiments expressed in this House by different speakers, including the Leader of the House. Sir, I would rather suggest that the House should show, subject to what you may decide, its sense of respect for the deceased by adjourning without transacting any other business.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Sir, I beg to associate myself with all that has been said with regard to the loss sustained by the death of the Khan Bahadur. Sir, I had not the privilege of knowing him intimately but I had the honour of discussing with him various matters relating to Council work. I found him on these occasions one of the most well-informed men holding moderate views. It is a misfortune that the House has lost an able member like him at such a juncture. I beg to offer my deepest sympathy and condolences to the members of the bereaved family through you not only on my behalf but also on behalf of the party which I have the privilege and honour to belong to.

Mr. DEPUTY PRESIDENT: The Chair associates itself with the sentiments expressed by honourable members representing different sections of this House recounting the manifold qualities of the head and heart of their erstwhile colleague, Khan Bahadur Syed Muhammad Ghaziul Huq, who expired yesterday at Comilla. He belonged to an ancient aristocratic family of Eastern Bengal which was held in great esteem by the people for its numerous charities and beneficent activities. To me personally, his death means the loss of a sincere and noble friend. The Khan Bahadur was a man of very quiet disposition but whoever came in contact with him could not but be impressed with his charming manners and innate courtesy. Indeed, it can be truly said of him that he was one of Nature's born gentlemen. Grandson of Nawab Faizunnessa, the only lady zemindar in Bengal to be honoured with the title of Nawab, the Khan Bahadur was all along alive to his obligations towards the poorer section of his fellow-men and accordingly devoted a considerable portion of his time and energy to ameliorate their condition to the best of his ability. In his death the landed aristocracy of Bengal has lost a popular figure whose presence was very much needed in these days of unsettled conditions all around. May his soul rest in peace!

I desire the honourable members to rise in their places to signify their support to the resolution.

(Honourable members rose in their places.)

Thank you, gentlemen. It will be my duty to communicate to the members of the bereaved family the deep sympathy and sorrow of this House on the death of the Khan Bahadur. As a mark of respect to his memory the Council Department will remain closed for the rest of the day. I also propose to adjourn the House without transacting any further business. But before I adjourn the House, I would request the Leader of the House to announce the business for tomorrow.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Further discussion of the Bengal (Rural) Primary Education (Amendment) Bill, Sir.

Mr. DEPUTY PRESIDENT: The House stands adjourned till 2-15 p.m. tomorrow when our business will be, as honourable members must have heard, the consideration of the Bengal (Rural) Primary Education (Amendment) Bill, clause by clause.

Adjournment.

The Council then adjourned till 2-15 p.m. on Wednesday, the 7th October, 1942.

Members Absent.

The following members were absent from the meeting held on the 6th October, 1942:—

(1) Mr. Altaf Ali.
(2) Rai Bahadur K. C. Banerjee.
(3) Mr. S. C. Chakraverti.
(4) Mr. Hamidul Huq Chowdhury.
(5) Mr. Humayun Reza Chowdhury.
(6) Mr. B. C. Datta.
(7) Mr. N. C. Datta.
(8) Mrs. K. D'Rozario.
(9) Mr. K. K. Dutta.
(10) Khan Bahadur Alhadj Khwaja Mohd. Esmail.
(11) Mr. K. L. Goswami.
(12) Mr. Mohamed Hossain.
(13) Khan Bahadur Mohd. Asaf Khan.
(14) Sir T. Lamb.
(15) Mr. J. McFarlane.
(16) Dr. R. K. Mookerjee.
(17) Mr. T. B. Nimmo.
(18) Mr. R. Pal Chowdhury.
(19) Mr. S. N. Sanyal.

BGP-42/3-8957A-750

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 11.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 7th October, 1942, at 2-15 p.m., being the eleventh day of the Second Session of 1942, pursuant to section 62(2)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

Message from His Majesty the King-Emperor.

Mr. DEPUTY PRESIDENT: Order, order. Honourable members of the Council, I have to read a Message received by the Hon'ble President from His Majesty the King-Emperor. But before I do so, I would request the honourable members to rise in their seats.

(The members rose in their seats.)

The Message runs as follows:—

"L 2481 D Buckingham Palace LN 30.

NLT PRESIDENT, LEGISLATIVE COUNCIL, BENGAL, CTTA.

Please express to the Council my deep appreciation of their kind message of sympathy on the death of the Duke of Kent.

GEORGE R.I."

Thank you, Gentlemen. I will now take up the Questions.

QUESTIONS AND ANSWERS

Kazi Advisory Committee.

35. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what are the functions of the Kazi Advisory Committee with regard to new appointments to the posts of Kazi and Muslim Marriage Registrar?

(*b*) Are they only to make nominations for such appointments by votes?

(*c*) Are the nominations made by the Advisory Committee binding on the District Registrar?

(*d*) Is the Hon'ble Minister aware that the District Registrar of Mymensingh openly remarked during the last Kazi Advisory Committee meeting that generally it is the worst candidate who gets the first nomination as it is due to canvassing; and as such, it would be useless to supply list of candidates with their qualifications to the members of the Advisory Committee before the meeting as suggested by one of the members?

(*e*) Do the Government propose to replace the Advisory Committee by a Selection Board consisting of two officials and three non-official Arabic scholars of reputation in each district?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur M. Abdul Karim): (*a*) To advise the Inspector-General of Registration in regard to the selection of candidates.

(*b*) No system has been prescribed.

(*c*) The District Registrar submits the nomination of the District Advisory Committee with his comments, if any, to Government through the Inspector-General of Registration.

(*d*) No.

(*e*) I shall consider the suggestion.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister be pleased to state with reference to (*d*), if the District Registrar was asked to report whether he has made any such statement?

The Hon'ble Khan Bahadur M. ABDUL KARIM: No.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister kindly enquire?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Yes, I will.

Mr. DEPUTY PRESIDENT: The next item is short-notice question No. 36 to be answered by the Hon'ble Chief Minister.

Mr. LALIT CHANDRA DAS: It is in my name. Shall I put it?

Mr. DEPUTY PRESIDENT: Will it be possible for the Hon'ble Leader of the House to answer if there are supplementary questions?

The Hon'ble Khan Bahadur M. ABDUL KARIM: As regards supplementary questions in regard to question No. 36, probably I shall not be able to answer, if there be any.

Mr. LALIT CHANDRA DAS: In that case, Sir, let it stand over.

Mr. SACHINDRA NARAYAN SANYAL: May I ask question No. 37 which stands in my name? This is a simple question and I hope the Hon'ble Leader of the House will be able to answer, if there are supplementary questions.

The Hon'ble Khan Bahadur M. ABDUL KARIM: As regards question No. 37, I think I shall be able to answer supplementary questions. May I read the reply on behalf of the Hon'ble Chief Minister?

Mr. DEPUTY PRESIDENT: Yes.

Security Prisoners.

37. Mr. SACHINDRA NARAYAN SANYAL: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state the number of security prisoners in Bengal?

(*b*) Is it a fact that some security prisoners have been granted allowances for maintenance of their families?

(*c*) If so, how many of them have been granted such facilities?

(*d*) Will the Hon'ble Minister be pleased to state why it has not been possible to grant allowances to the families of all security prisoners?

(*e*) Is it a fact that some applications for allowances from such prisoners for maintenance of their families are pending for a long time?

(*f*) If so, will the Hon'ble Minister be pleased to state when final orders on those applications are likely to issue?

The Hon'ble Khan Bahadur M. ABDUL KARIM (on behalf of Minister in charge of the Home Department): (*a*) 2,414 including 1,950 criminal security prisoners (figures corrected up to 31st August, 1942).

(*b*) Yes.

(*c*) 88.

(*d*) I refer the honourable member to the Government communiqué, dated the 12th September, 1942 (copy placed in the library), which embodies the present policy of Government in this respect.

(*e*) A number of cases were originally rejected but have since been under reconsideration in the light of the liberalised policy now followed by Government.

(*f*) The cases are so many and the circumstances so varied that a definite time-limit is not possible though attempt is being made to dispose of them with the utmost expedition.

Mr. SACHINDRA NARAYAN SANYAL: Is the Hon'ble Minister aware that Biresh Chandra Chakravarty, a security prisoner in the Dacca Central Jail, asked for his family allowance a long time ago?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I am not aware.

Mr. SACHINDRA NARAYAN SANYAL: Will the Hon'ble Minister be pleased to state when Biresh Chandra Chakravarty's wife can expect an allowance?

The Hon'ble Khan Bahadur M. ABDUL KARIM: That is more than I can say, but I will bring this matter to the notice of the Hon'ble the Home Minister.

Mr. HUMAYUN KABIR: Arising out of (*a*), will the Hon'ble Minister be pleased to say what is meant by the term "criminal security prisoners"?

The Hon'ble Khan Bahadur M. ABDUL KARIM: "Criminal security prisoners" are those who have been ordered to give security under the Code of Criminal Procedure.

Mr. HUMAYUN KABIR: Will the Hon'ble Minister be pleased to state how many of these prisoners have actually applied for allowance to their families or their dependants?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I want notice, Sir.

Mr. HAMIDUL HUQ CHOWDHURY: Arising out of the previous answer given by the Hon'ble Minister, I may submit that there is no mention of such a thing as "criminal security prisoner" in the Criminal Procedure Code. These prisoners having failed to execute their bonds are sent to jails.

The Hon'ble Khan Bahadur M. ABDUL KARIM: There are some prisoners—ordinary prisoners—under the Defence of India Rules and there are others who are detained in prison for their failure to furnish security bonds.

Mr. HAMIDUL HUQ CHOWDHURY: Are all these prisoners detained under the orders of the Government of Bengal?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I want notice.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether prisoners of the Dacca Central Jail shooting case have been included in these 1,950 security prisoners?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I cannot give that answer now.

Sir BIJOY PRASAD SINGH ROY: Sir, when the Hon'ble Minister is unable to answer a single supplementary question, will it not be much better

if this question is held over till the Chief Minister comes? Now, if only the printed reply to this question is read out and no supplementary question is answered, then the honourable member who put the question will not get a chance of getting answers to his supplementaries, and the question as it has been answered will not come again with the result that we shall be deprived of putting supplementary questions to it.

Mr. DEPUTY PRESIDENT: That is the reason why I asked the Hon'ble the Leader of the House whether he would be able to answer the supplementaries also.

Sir BIJOY PRASAD SINGH ROY: But, Sir, it is for you to judge whether he is in a position to answer or not.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Even the Hon'ble the Chief Minister would not have been in a position to answer these supplementaries that have been put.

Sir BIJOY PRASAD SINGH ROY: How do you know that?

Mr. HAMIDUL HUQ CHOWDHURY: Sir, the honourable members are entitled to get full and proper answers to the supplementary questions. The Leader of the House is not aware of the facts and the Minister concerned is absent.

Mr. DEPUTY PRESIDENT: I fully appreciate the difficulty which the members are now feeling and I also appreciate the difficulty of the Leader of the House, as the question does not relate to his department. So, for the purpose of supplementary questions, I rule that this question be treated as passed over.

Mr. HAMIDUL HUQ CHOWDHURY: May I suggest that the House be adjourned, since the Ministers are not present to attend to their duties to the House.

Sir BIJOY PRASAD SINGH ROY: Sir, it is not for us to point out what is your duty. It is for you to see that the dignity of the House is maintained and the Ministers do attend to their business in this House.

Mr. DEPUTY PRESIDENT: I should like to hear the Leader of the House as to what the Government's difficulty actually is. It is regrettable that the Ministers do not care to attend the meetings of the Council; neither do they send intimation beforehand of their inability to attend.

The Hon'ble Khan Bahadur M. ABDUL KARIM: I agree that the Ministers to whose departments these questions relate, should have been present. But, as regards the Chief Minister, it is already known to the House that he has left for Delhi and as such questions relating to his department should stand over.

Mr. DEPUTY PRESIDENT: What about Mr. Basu?

Mr. HUMAYUN KABIR: He always attends.

Mr. HAMIDUL HUQ CHOWDHURY: The Treasury Bench is practically empty although we have assembled here to transact certain business in which the Ministers should take interest. In this connection, I may point out that some of my questions remain unanswered from 1941. We are now at the end of 1942 and yet do not know what is going to happen about them.

Mr. DEPUTY PRESIDENT: So far as today's business is concerned, I find that only one question remains unanswered which relates to the department of the Hon'ble Mr. Santosh Kumar Basu. The Hon'ble Leader of the House has already informed the House that the Chief Minister is not here. At any rate, as I have said, it is really very regrettable that the Hon'ble Minister whose presence is necessary does neither attend nor sends intimation beforehand of his inability to attend. However, I hope the Hon'ble Leader of the House will convey the desire of the Council to the Ministers concerned.

Motions for Adjournment.

I shall now take up the motions for adjournment of which notices have been received.

Mr. HUMAYUN KABIR: Sir, before you take up any other matter, I should, through you, like to call for papers relating to the very unfortunate and tragic incident which occurred at Mymensingh. I refer to the shooting which took place in connection with rioting at Rayerbazar near Atharobari in Mymensingh.

Mr. DEPUTY PRESIDENT: I have already got notices of three motions for adjournment of the House on this matter. Let me place the motions before the House and then you may raise this point.

Mr. HUMAYUN KABIR: I was going to submit in this connection that on a former occasion the Hon'ble President suggested that before such matters were raised in the House in the form of adjournment motions, the House might create a convention of calling for papers on the subject and when the Government made a statement on the situation, then and then alone the question of moving the adjournment motion or not would arise. Following that direction of the Hon'ble President, I was enquiring if the Government was in a position to make a statement before the House as to what exactly happened at Rayerbazar, what were the casualties, what was the responsibility of Government and what they proposed to do in order to find out if any person was guilty and take any necessary remedial measures? It seemed to be the desire of the House at that time that such a convention should be created.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I am not in a position——

Mr. KRISHNA CHANDRA ROY CHOWDHURY: Sir, is the honourable member in order in suggesting this novel procedure in view of the fact that an adjournment motion is already pending?

Mr. DEPUTY PRESIDENT: The honourable member seems to be anticipating things. I think it would be more opportune to raise this question when we take up the motion for adjournment.

Mr. HUMAYUN KABIR: May I submit, Sir, before you give your ruling——

Mr. DEPUTY PRESIDENT: I am not giving a ruling now.

Mr. HUMAYUN KABIR: I was trying to show that before the adjournment motion was taken up, the better course would be to call for papers, as the Hon'ble President had suggested once before.

Mr. DEPUTY PRESIDENT: Order, order. What you are now going to say would be more appropriate when the adjournment motion is taken up.

Mr. HUMAYUN KABIR: May I respectfully submit, Sir, that there would be no point in calling for "papers" when the adjournment motion has already been moved! May I again submit that on a previous occasion when such a matter was raised in the form of an adjournment motion, the Chair ruled that a convention might be established in the Upper House, as prevailed in the British House of Lords, of calling for "papers"?

Mr. LALIT CHANDRA DAS: Mr. Deputy President, may I intervene to explain what is in the mind of Mr. Humayun Kabir? What Mr. Kabir is referring to is perhaps this: Some time ago when Mr. Krishna Chandra Roy Chowdhury, who was a supporter of Government, was about to move an adjournment motion, the Hon'ble President made an observation to the effect that if any member being a supporter of Government wanted to move for adjournment of the House, he must cross the floor which means that he would then cease to be a member of the Government Party. But if he wanted to remain on the Government side, he should call for "papers" and not move any adjournment motion. That is, Sir, as far as I remember, the ruling or observations made by the Hon'ble the President on a previous occasion in relation to an adjournment motion tabled by a supporter of the Government.

Mr. DEPUTY PRESIDENT: You are speaking on a matter independently of the adjournment motion.

Mr. LALIT CHANDRA DAS: No, Sir. I am speaking on the point of order raised by Mr. Kabir about establishing a convention of calling for "papers". With respect to that, Sir, I may repeat that when a certain adjournment motion was going to be made by Mr. Krishna Chandra Roy Chowdhury on this side of the House the President observed that if an honourable member from the Coalition Party, a supporter of Government, wanted to move an adjournment motion, he must cross over and go to the other side but remaining within the Coalition Party he could not do so, but instead call for papers only; and whenever such a motion was moved, the Chair was to decide the question of precedence between that motion and any adjournment motion on the same subject which may be tabled by the Opposition. This is what, as far as I remember, was the ruling of the President on that occasion.

Mr. HAMIDUL HUQ CHOWDHURY: I think Mr. Kabir is right so far as the Hon'ble President's ruling is concerned. The Hon'ble President said that before an adjournment motion was admitted, it must take its course as to whether it was in order or not. As soon as the papers are placed, or a statement of facts is made by the Hon'ble Minister concerned, then only will the question of precedence between the adjournment motion and the motion for papers arise. But the adjournment motion will not be moved at all, if the statement is found satisfactory by the House. Therefore, it facilitates the position on either side, it facilitates a decision so far as an urgent matter is concerned and also gives the Government an opportunity to state its position.

The Hon'ble Khan Bahadur M. ABDUL KARIM: As regards that I can only say that I am unable to comply with the request for "papers" today.

Mr. HUMAYUN KABIR: You may ask for time.

The Hon'ble Khan Bahadur M. ABDUL KARIM: All right, if the House continues to sit till tomorrow, I shall be able to place the "papers" relating to the shooting incident at Atharabari in the district of Mymensingh.

Mr. NUR AHMED: On a point of privilege of the House——

Mr. HUMAYUN KABIR: A point of privilege is already before the House— it is the privilege of the House to get reports of untoward incidents that take place. In this case, it is the privilege of the House to get a report of the incident which happened at Atharabari in Mymensingh. I called for papers relating to the shooting at Atharabari and the Leader of the House has promised to produce the necessary "papers" tomorrow.

Mr. DEPUTY PRESIDENT: Are you prepared to wait till tomorrow, Khan Bahadur?

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I will not press my motion for adjournment today, provided the Leader of the House makes a statement tomorrow regarding the occurrence that took place at Atharabari, the steps that have been taken by the Government and are proposed to be taken by Government to prevent the recurrence of disturbances like this.

Mr. MESBAHUDDIN AHMED: Sir, there is an adjournment motion standing in my name on the same subject. I prefer to wait if the Hon'ble Minister makes a statement; after he has done so, I will decide whether to move my motion or not.

Mr. DEPUTY PRESIDENT: The House will now resume——

Mr. HAMIDUL HUQ CHOWDHURY: Sir, before you take up the next item on the agenda, I have another point to mention. There has been a long discussion on the statement of the Hon'ble Chief Minister and on many occasions during the discussion of this subject we have heard it said by the other Ministers that the Hon'ble Chief Minister was going to deal with the points raised by the members of this House in the course of his reply to the debate. Now, Sir, we find that he has been absenting himself from the House frequently and we do not expect any reply from him as he seems to be avoiding any reply upon the points raised by us.

Mr. DEPUTY PRESIDENT: I would request the honourable member to wait till the Hon'ble Chief Minister returns and then to raise this question, if necessary.

Mr. NUR AHMED: I rise on a point of privilege of the House, Sir. One of my Bills—the Bengal Public Gambling (Amendment) Bill—was referred to a Select Committee. The Select Committee was not called in time and twice the time for submission of the report of the Select Committee was extended. I wrote to the Hon'ble Home Minister several times; but although the date of the third extension has expired, nothing has yet been done. So with your permission, I should like to move a formal motion for further extending the time for submission of the report of the Select Committee.

Mr. DEPUTY PRESIDENT: That is not a point of privilege.

Mr. NUR AHMED: Sir, the first portion of my speech is a point of privilege.

Mr. DEPUTY PRESIDENT: All right; you may let me have a copy of your proposed motion. I shall then consider.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, the Hon'ble Ministers are shilly-shallying with the House. It is the right of

the members of this House to have replies from the Hon'ble Ministers to their letters. How is it that in spite of two or three extensions, the report of the Select Committee is not yet ready for submission to the House?

Mr. DEPUTY PRESIDENT: Please let me have a copy of the proposed motion. I shall allow you to move the same today before the House is adjourned.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, may I know your decision regarding the adjournment motion? Are you going to give the decision tomorrow?

Mr. DEPUTY PRESIDENT: Mr. Mesbahuddin Ahmed has stated that he is prepared to wait for the statement from the Government.

Mr. HAMIDUL HUQ CHOWDHURY: But, Sir, is the Government going to make a statement before the House shortly? The Hon'ble the Leader of the House has said that he would make a statement tomorrow. But suppose we do not meet tomorrow, will he then make the statement when the House next reassembles?

The Hon'ble Khan Bahadur M. ABDUL KARIM: That I will do.

Mr. J. B. ROSS: Sir, on a point of privilege. We have been urged by all the authorities around us to economise in the use of paper. But today I received a notice from the Legislative Department of this Council, dated the 5th October, setting out the business which had to be considered in this House on the 2nd October. Now, Sir, that sort of thing might happen in Phillip Oppenheim's novels; but one does not expect it in an institution of the dignity of this Council. It seems that there is a complete lack of *liaison* between the Legislative Council Department and the Home (Constitution and Elections) Department which ought to be put right immediately, and as a member of this House I draw your attention to this. It interferes with the privileges of the members of this House. I would ask you to see that in future we get adequate notice of the business which is to be discussed, not after the date has elapsed but before it is due to be discussed.

The Hon'ble Khan Bahadur M. ABDUL KARIM: As regards the point raised by Mr. Ross, I can only say that I will look into this matter myself and see that the Council papers are circulated to the honourable members in time.

The Bengal (Rural) Primary Education (Amendment) Bill, 1942.

Mr. DEPUTY PRESIDENT: The House will now resume further discussion, clause by clause, of the Bengal (Rural) Primary Education (Amendment) Bill, 1942.

Clause 1.

Clause 1 stand part of the Bill.

The question before the House is: that clause 1 stand part of the Bill.

(The motion was agreed to.)

Clause 2.

Mr. DEPUTY PRESIDENT: Clause 2 stand part of the Bill.

Mr. NUR AHMED: Sir, I beg to move that clause 2 of the Bill be omitted.

My purpose in moving this amendment is that there is no necessity of this clause 2. Clause 2 runs as follows:—

In section 4 of the Bengal (Rural) Primary Education (Amendment) Act, 1930 (hereinafter referred to as the said Act),—

(1) in clause (*c*) of sub-section (*1*)—

'(*a*) for the word "five" the word "seven" shall be substituted, and

(*b*) after the words "of whom" the words "two shall be women interested in education and" shall be inserted; and

(2) after sub-section (*2*) the following sub-section shall be added, namely:—

(*3*) The Director of Public Instruction, Bengal, shall be *ex-officio* Chairman of the Committee, and there shall be a Committee who shall for the first term of five years be appointed by the Provincial Government from amongst the elected members of the Board and who shall thereafter be elected in the prescribed manner by the members of the Committee from amongst themselves.

Sir, there are two purposes involved in this amendment. One is that Government by sub-clause (*1*) wants to increase the number from 5 to 7 and out of these, 2 will be women. Then by clause (*2*) it wants to appoint a Secretary for 5 years. In the Statement of Objects and Reasons it is stated that this clause is necessary because they want to provide seats for women on the Central Committee. Government has ample power to appoint women out of the 5 nominated members, if they so want. There is no necessity of increasing the number. As regards the appointment of the Chairman, Sir, Government has got ample scope under the rule-making power. So I move that the clause be deleted. There is no necessity of this clause. With these few words, I move this amendment.

Mr. DEPUTY PRESIDENT: Amendment moved: that clause 2 of the Bill be omitted.

Khan Bahadur MUAZZAMUDDIN HOSAIN: Sir, I rise to support the amendment of Mr. Nur Ahmed. It is a very good suggestion. The Bill seeks to increase the number of nominated members; but my friend suggests that there is no necessity of increasing the same. Even as it now stands, Government have the power to nominate 5 persons and they can provide seats for women members out of that number. Hence there is no necessity of further addition to the number of nominated members. I think this is a very good proposal and should be accepted by the House.

The Hon'ble Khan Bahadur M. ABDUL KARIM: I oppose the amendment. The provision for extended nomination was approved by the last Cabinet, of which Sir Bijoy Prasad Singh Roy was a prominent member along with the President and Deputy President of the Muslim Parliamentary League Party. There was absolutely no opposition to this principle of extended nomination either from the Press or the platform at that time. Again, this principle has already been accepted in the Assembly and therefore, I do not think any further speech is necessary in support of the provision incorporated in the Bill. The House may be aware that Government have so many mouths to feed, and in order to remedy the inequalities and inequities of election it is absolutely necessary in a province like Bengal to keep the nominations in the hands of Government.

Sir BIJOY PRASAD SINGH ROY: Sir, I had no desire to intervene in this debate; but as the Honourable Leader of the House has been pleased to refer to my humble self, I have to say a few words. I only wish that the Honourable the Leader of the House and the present Government had followed the previous Government in every matter. Sir, the present Government would follow the past Government only where it suits their convenience and discard their precedents when they are found inconvenient. That is not fair. The previous Government used to make nominations in an absolutely dispassionate manner. (Cries of "Question, Question".) Nominations were never distributed by us on mere party lines. Every honourable member of the House will bear me out that after the present Government came into power, they issued a circular to the effect that nominations should be made after consulting the members of the Legislature even in respect of the Union Boards. There are a little over 5,000 Union Boards in Bengal and three members are appointed on each Union Board. This affords Government the opportunity for nominating 15,000 members on the Union Boards in Bengal. This means that an enormous army of supporters of Government can be created through nominations. The previous Government never followed the practice of appointing only those persons who are their supporters in the Legislature. Union Board nominations were left entirely in the hands of the District Magistrate and this was strictly in accordance with the statute and the Rules made thereunder. In fact, Government knew nothing about these union Board nominations and they never tried to abuse the right of making nominations. My honourable friend the Leader of the House, has himself admitted that there are so many hungry mouths to feed. The previous

Government never approached the question of nomination from the point of view of satisfying the hunger of their supporters. But there has been a great change in outlook since the resignation of the last Ministry and that is why I believe the Opposition is not prepared to support the proposal of my honourable friend. A great change has been brought about and nominations are now being utilised mainly for party purposes instead of for providing representation to interests that could not be otherwise represented on the local bodies. It is, therefore, high time that nominations were altogether dropped.

Mr. NARESH NATH MOOKERJEE: On a point of information, Sir. Sir Bijoy Prasad Singh Roy just now referred to a circular said to have been issued by the present Government in regard to nominations to Union Boards. May I know, Sir, from him whether that circular was prepared under the directions of the past Government and whether the decision was arrived at by the present Government or the past Government?

Sir BIJOY PRASAD SINGH ROY: It was certainly not issued by the previous Government. Whether it is the decision of the present Cabinet, or not, is more than I can say. I never try to probe into the Cabinet secrets of the present Government.

Mr. DEPUTY PRESIDENT: The question before the House is that clause 2 of the Bengal (Rural) Primary Education (Amendment) Bill, 1942, be omitted.

A division was then challenged with the following result:—

AYES—9.

Ahmed, Mr. Mesbahuddin.	Molla, Khan Sahib Subidali.
Ahmed, Mr. Nur.	Momin, Begum Hamida.
Aziz, Khan Sahib Abdul.	Quasem, Khan Sahib Abul.
Chowdhury, Mr. Hamidul Huq.	Singh Roy, Sir Bijoy Prasad.
Hosain, Khan Bahadur Saiyed Muazzamuddin.	

NOES—18.

Barua, Mr. D. L.	Nimmo, Mr. T. B.
Choudhury, Mr. Moazzemali.	Rahman, Khan Bahadur Ataur.
Chowdhury, Mr. Khorshed Alam.	Ray, Mr. N. N.
Cohen, Mr. D. J.	Ross, Mr. J. B.
Das, Mr. L. C.	Roy, Mr. A. D.
Jan, Alhadj Khan Bahadur Shaikh Mohd.	Roy, Rai Bahadur R. B.
Karim, The Hon'ble Khan Bahadur M.	Roy Chowdhury, Mr. B. K.
Maitra, Rai Bahadur B. M.	Shamsuzzoha, Khan Bahadur M.
Mookerjee, Mr. N. N.	Sinha, Raja Bahadur B. N

Mr. DEPUTY PRESIDENT: Order, order. The House has divided For the amendment—9; against the amendment—18. Therefore, the amendment is negatived.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I beg to move that in clause 2 of the Bill, for sub-clause (*1*), the following be substituted, namely:—

"(*1*) after clause (*b*) of sub-section (*1*), the following new clause shall be inserted, namely:—

'(*bb*) Two women—one Hindu and one Moslem to be elected by the Women Constituencies of the Provincial Legislative Assembly of the cities of Calcutta and Dacca.' "

Sir, in moving this amendment I have been prompted by the idea that if it is thought necessary that women should be given separate representation on the committee besides the 5 members to be nominated by Government to that committee, that should be done through election and not through nomination. We hate nomination, as I have already said, in a democratic age like this. If women are to be represented at all separately, let them go in by election. The women constituencies of Calcutta and Dacca will be quite competent to say which of the women should be sent as their representatives to the Central Committee. My friends opposite have always been in favour of election and were always against nomination. They cried loudly against the system of nomination. They sincerely believed that it was a bad thing. They should now show their love for these democratic principles by example and not by precept and come forward to vote for this amendment.

Mr. DEPUTY PRESIDENT: Amendment moved that in clause 2 of the Bill, for sub-clause (*1*), the following be substituted, namely:—

"(*1*) after clause (*b*) of sub-section (*1*), the following new clause shall be inserted, namely:—

'(*bb*) Two women—one Hindu and one Moslem to be elected by the Women Constituencies of the Provincial Legislative Assembly of the cities of Calcutta and Dacca.' "

The Hon'ble Khan Bahadur M. ABDUL KARIM: I oppose the amendment. My first ground is that time has not yet come for election of women representatives by the whole constituency. The cases of Dacca constituency and Calcutta constituency, as suggested by my honourable friend opposite, do not apply in this case. There is absolutely no reason why places like Chittagong and Mymensingh should be kept out of the operation of that law. The second point that I have to urge is that we have not definitely stated whether, of the two women one should be Hindu and one should be Muhammadan. We have preferred to keep it elastic, for the simple reason that there may be a Christian woman who has to be nominated by reason of her experience and ability to be represented on the Board. It may also happen that no suitable Muhammadan woman would be available; in that case both should be Hindus. There may be occasions when both may be

Muhammadans. Therefore, it is convenient to keep the provision elastic so that things may be adjusted according to circumstances. On these grounds, I oppose the amendment.

Maulvi ABUL QUASEM: Sir, we have just now listened to the speech of the Government spokesman who has replied to the speech that has been delivered by the Leader of the Opposition in support of the motion, and his speech should not surprise any one. A cosmopolitan principle is now being enunciated by the present Government. They are not in favour of Hindu or Muslim—they are in favour of all and for efficiency. Now, this cosmopolitanism which the present Government is enunciating through the Leader of the House rather comes with ill grace, I should say, for the simple reason that in primary education Muslims are vitally interested. Muslim girls are plentiful in primary schools, and to say, as the Leader of the House has said, that Muslim women—suitable and competent Muslim women—may not be available and therefore Government has kept the provision elastic, is a libel upon Muslim women. Muslim women of Bengal are rich, I say, in culture and dignity and can take the place of any other women. And when the Hon'ble Minister, being a Muslim, says that competent Muslim women may not be available, he says something which is nothing short of a scandalous libel upon the entire community to which he belongs. I record a solemn and serious protest against this libellous statement. It is a libel to say that suitable Muslim women may not be available. When you say this, I say without fear of contradiction, that you say something which is not founded on facts. I may say that the Government of India Act has solemnly enacted that there should be two Moslem women constituencies in Bengal for electing representatives of the women of Bengal to the Bengal Legislature. But this committee will certainly deal with matters of lesser importance being charged with the duty only of advising the Government of Bengal on rural primary education. And if the honourable mover has proposed that the women's constituencies in two divisions should be allowed to elect representative women to this particular committee, then he has only followed an established practice. There are the women's constituencies and there will be no difficulty for them to return a woman representative to the Primary Education Committee. If these constituencies can return representatives to the Legislature which enacts laws which will govern the lives of the millions dwelling in this country, cannot this women's constituency be entrusted with the task of selecting a lady member whose only duty will be simply to advise on rural primary education? There are no other subjects likely to be dealt with in a Primary Education Committee but all sorts of things are expected to be dealt with in a Legislature. And if women representatives may be trusted with the duty of selecting such women for the Legislature, then cannot women, suitable and competent women, be found who could be trusted with this one particular purpose out of so many that come before the Legislature to be dealt with, namely, primary education? Why not have the same principle in this case also? Why then should not Moslem women as such be given representation on this committee, while the same principle has been embodied in the Government of

India Act? Why should not there be a specific provision that a Moslem woman or Moslem women will be elected to this committee? I do not know, Sir, whether this particular attitude of Government, this cosmopolitanism, this freedom from sectarianism, this freedom from communalism, is due to that mighty pact, that solemn pact entered into between the Hon'ble the Chief Minister and his Mahasabha colleague, to wit, Dr. Syama Prasad Mookerjee, whereby the interests of Moslem Bengal have been committed to the care of Dr. Syama Prasad Mookerjee, the Mahasabha leader. It will be no wonder that since the Moslem interests have been committed to the keeping of the Hindu Mahasabha leader, there should be this preposterous demand by the present Government that there should be no Moslem woman representative on this committee, because non-Muslim representatives would suffice for the representation of the Moslem women of Bengal. Are we really to understand that this cosmopolitanism is an offspring of that great historic pact that has been recently established between the Hon'ble Mr. A. K. Fazlul Huq and Dr. Syama Prasad Mookerjee, by which the Moslems have been committed to the keeping of the Hindus? Well, well, that may suit the convenience of Mr. Fazlul Huq, but that does not suit the convenience of Moslem Bengal. Moslem Bengal demands that the Moslems should be represented as Moslems wherever their vital interests are at stake. We are not going to subscribe to the cosmopolitan spirit of the present Government. We must have our representatives to safeguard our interests. We have no fear of the pact that has been ushered into existence to keep Mr. Huq in office, though not in power. Power left Mr. Fazlul Huq the moment he entered into this unholy and outrageous alliance. His Moslem colleagues are in office simply through the sufferance of his Hindu colleagues.

Mr. NARESH NATH MOOKERJEE: Sir, is this at all relevant?

Khan Sahib ABUL QUASEM: It is no wonder, Sir, that such sentiments should come from the lips of the Hon'ble Mr. Abdul Karim, a member of the present Government, a Government which is presided over by Mr. A. K. Fazlul Huq, who in order to be allowed to remain in office has sold the interests of the Mussalman community to the Hindus. I would remind the members of the House of another thing. At a public meeting at Dacca it was Mr. Fazlul Huq who declared——

Mr. DEPUTY PRESIDENT: Order, order. I would request the honourable member not to indulge in personal attacks.

Khan Sahib ABUL QUASEM: This is not at all a personal attack. I am only referring to the utterances of public men and these are public utterances. These are no reflection on anybody. What I refer to is public property,—statements by public men made in a public capacity. It is not a personal attack, I submit——

Mr. LALIT CHANDRA DAS: Sir, his whole speech is full of venom and personal attack against the Chief Minister.

Khan Sahib ABUL QUASEM: What I say may be unpleasant to the members of the Government benches; but I am dilating on what is behind the object of the Bill for the delectation of the House.

Now, Sir, coming to the point: there are to be two women representatives. The proposal in the amendment is that one should be a Muslim and the other a Hindu. Women representatives are welcome; but so far as Muslims are concerned, we are definitely of opinion that there should be one Muslim representative as such and that representative should be elected and should not be a creature of nomination by this blessed Government——

Mr. LALIT CHANDRA DAS: Are you supporting this amendment?

Khan Sahib ABUL QUASEM: Yes. Therefore, Sir, I feel that this House would be acting in consonance with the spirit and principle and actual provision of this Act and would be acting in fairness and justice to the Moslem community if it lends its support to the present amendment, whereby both the Muslim woman and Hindu woman representatives would be sitting on the committee. The present proposal of the Government, as dilated on by the Honourable Leader of the House, has been made deliberately vague and we want to make it definite and clear. I hope this amendment will commend itself to the members of the House and that it will be accepted.

Mr. HAMIDUL HUQ CHOWDHURY: Sir, I rise to support the amendment moved by my friend Khan Bahadur Saiyed Muazzamuddin Hosain. Most of the arguments for the amendment have been advanced by my friend Mr. Abul Quasem. I would only add a few points.

Sir, most of the Muslim members sitting behind the Government benches are absent from the Chamber just now, evidently to avoid hearing unpleasant things and in order that they may not be called upon to decide this question against the community to which they belong and whom they pretend to protect, after hearing the arguments advanced from this side of the House. If this amendment is not accepted, it will be clear that this Government is pursuing a policy of eliminating Muslim interest altogether from every sphere of public life in this province. Sir, it is clear to the meanest intelligence that the Muslims are more vitally interested than the Hindus in the matter of primary education. We cannot allow a situation to be created which may prejudicially affect the interest of the Muslim community and so we press for full representation of Muslim interest on the consultative body which was set up under the existing Act and whose constitution is now being modified to a large extent by this amending Bill under discusison. It it is the intention of the Government that Muslims should have equality of voice with the Hindus, they should accept this amendment. The Muslims do not want anything more than their legitimate share—although they would be entirely within their right to do so, being a majority community in this province. It cannot be gainsaid that a much larger number of Muslims are receiving primary education than the Hindus and they are consequently

more interested in this form of education than the other community. In spite of that, they only want equality of voice with the Hindus in order that their interest may not be jeopardised. They cannot depend on the goodness of the present administration, because it has thrown the Muslim interest to the wolves, as rightly stated by Mr. Abul Quasem. The principle which the Government have accepted and which they have almost given effect to in many other departments, namely, that only those Muslims will be favoured who can sacrifice the interest of their community at the altar of non-Muslim domination, is dangerous. But we want to make it absolutely clear that the Muslim community will not be satisfied with anything less than equality of voice in the administration of this Central Advisory Committee on primary education. If you say that the Muslim community is not going to be adversely affected by the provisions of this amending Bill, then what objection can you have in accepting this amendment? It shall no longer be possible in Bengal for the Hindus by alliance with the Europeans to suppress and oppress the Muslims. We want equality of voice: we want the Muslims to have equal say in the matter of regulating the course of primary education in this province. We do not like the course you are following. Your argument is that because you are in a majority in the whole of India, everything should go to the Hindus and nothing to the Muhammadans. We are for reversing that attitude. Even in places where we are in a majority, you are thus shutting us out from having our full share. On the false plea of emergency you want to create a situation in which these organisations are stifled. You are putting stumbling blocks in the way of the education of the Muslims. For the last 175 years they have been deprived of education and as a result of that they have become illiterate and ignorant. We have been crying all these years to remove these defects. Now you want that Muslim women of your choice and liking should be sent to these important bodies. Even in places where there are competent Muslim women, you want to eliminate them altogether. Cannot the present Ministers, who are the custodians of the Muslim interests and who are responsible to the whole country for the policy they are adopting, accept this simple amendment so that side by side with the Hindus, the Muhammadans may also receive primary education?

Then, Sir, as regards the argument of the Hon'ble Minister for Education that it would be unfair to the women of the whole province if the choice of their suitable representatives were to be limited only to the towns of Calcutta and Dacca, I may point out that the Government of India Act has selected these two places for sending in representatives of women for the whole province of Bengal. These women representatives are not representing their own personal interest here in the Legislature but they are looking to the interests of the whole women community as such of the entire province. So, if these Muhammadan women representatives from Calcutta and Dacca can be found to be the representatives of the entire women of Bengal in the Legislature, cannot the Government find Muhammadan women from the rural areas who will represent the interests of all women in the province? I therefore beg to submit that this is a very reasonable amendment and it should be accepted by Government

unless they have any ulterior motive. These institutions after all are not meant for subserving any personal interest or personal aggrandisement.

Sir, we know the history of nomination in Bengal. We know we were ourselves not free from criticism. I might tell the House that when we were in power, Ministers confessed, they said openly and very honestly that nomination was the source of corruption. It is well-known throughout Bengal,—and it will not be of any use to hide these things, as a matter of fact, for greater public benefit these things should be made known to the public—that some of the Ministers have sold these nominations to many public institutions. They have taken money. (Interruptions.) I am here to exercise my right to bring before the public that under this very act..... (A member: You can bring a no-confidence motion.) Even under the existing Primary Education Act in Dacca, Mr. Latifuddin has got a promise of being nominated. Sir, this nomination is being given to him in consideration of an amount which is between 5 to 10 thousand and the amount has gone to the Minister. These are things which cannot and should not be concealed. It is a scandal. These scandals must be stopped. I think I shall have more to say about the scandalous conduct of some Ministers in relation to these nominations when I come to the other clauses. At this stage I am mentioning——

The Hon'ble Khan Bahadur M. ABDUL KARIM: Will the honourable member be allowed to talk in this way? It is a disgrace to the House.

Mr. HAMIDUL HUQ CHOWDHURY: Which is disgrace? The talk about a bribe?

Mr. NARESH NATH MOOKERJEE: What has that got to do with Muslim women?

Mr. HAMIDUL HUQ CHOWDHURY: If this unrestricted nomination is allowed without qualification, and if you do not say that it shall not be made by nomination, then you open the door for corruption.

Mr. DEPUTY PRESIDENT: Order, order. The honourable member is making a very serious allegation. I do not know what is the basis of this allegation. Freedom of speech is no doubt a great privilege of the honourable members of this House; but abuse of this valued right in a light-hearted manner is to be deprecated. I cannot allow the honourable member to continue in this strain.

Mr. NARESH NATH MOOKERJEE: I very much regret that the Opposition have sought to put their own construction to the amendment. They have unfortunately tried to give vent to a lot of criticism—new criticisms—criticisms which do not arise out of the amendment at all. In fact, they have wasted the time of the House. The Leader of the House

in his explanatory speech made no reference anywhere to the fact that no Muslim women were going to be nominated. In his statement there is no indication of that at all. The Bill-clause under discussion seeks to provide for two seats for women on the Board which did not exist before. Sir, we do not support the principle of nomination; but when we find that there was no provision at all for ladies in a committee like this before, we feel inclined to support it. We all know that election to a committee of this kind by a large constituency is not only expensive but that no lady who has any real interest in education would be willing to enter into a hazardous election simply for the privilege of advising the Government on its policy of rural primary education. I do not find any single instance the Opposition could point out where anybody who is interested in the educational development of this province, would be willing to submit himself or herself to election by a popular electorate.

In fact, in matters in relating to education, I think we should always resort to nomination and leave nomination to be made by the Government of the day. There is absolutely no reason for the Opposition to fear that Government are going to utilise these nominations for increasing their support in the province. After all the intention of Government is to see that primary education is made available to everybody and to all communities. It may be that a lady from the Scheduled Castes community may be appointed; it may be that a lady from the Indian Christian community may be appointed, but there is no reason for my friend Mr. Hamidul Huq Chowdhury to think that both the nominations will be given to the Hindus. It is obvious that nominations are given only to such communities who are not otherwise adequately represented, who are backward, who have not got a constituency from where they can come by election. I feel that by this amendment the Opposition has only tried to win cheap popularity for themselves and I also feel that they have wasted the time of the House.

Mr. HUMAYUN KABIR: Mr. Deputy President, Sir, I would like to draw your attention to the fact that the amendment which has been moved by the Hon'ble the Leader of the Opposition is not very clear. Before I raise a point of order, I want to draw your attention to the fact that the amendment does not clearly state what exactly the Opposition wants. It says that two women,—one Hindu and one Muslim,—should be elected by the two women's constituencies of the cities of Calcutta and Dacca. Are these constituencies going to be separate, or are the cities of Dacca and Calcutta to be made into one constituency and then they should jointly elect two women representatives? Or do they refer to the fact that members of the Legislature should constitute a women's constituency? The way in which the amendment has been worded is very vague, and it is difficult to apprehend the sense which the honourable member has in mind. I take it that what he wants is that the women's constituencies for both Calcutta and Dacca for electing members to the Provincial Legislature should be merged into one constituency and these two constituencies should elect two members to the Central Education Committee. But I suggest that the amendment as

worded does not convey that sense; it is not clear. I would ask you to have the amendment examined as it is vague. The House cannot express any opinion on such an amendment.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: But you can suggest an amendment.

The Hon'ble Khan Bahadur M. ABDUL KARIM: I would like to say only this much that I never said as a matter of fact that no Muhammadan woman would be appointed. What I said was this: that we have reserved two seats for women; both may be given to Muhammadans. And circumstances may so arise that both may also be given to Hindus, and circumstances may still so arise that one should go to a Muhammadan and the other to a Hindu. Circumstances again may not unnaturally arise in which one seat may go to a Hindu and one to a Muhammadan or Christian. That is to say, statesmanship demands that the rules should be elastic and that the rules regarding nominations may be adjusted according to the circumstances of each case. If one seat goes to a Muhammadan and the other goes to a Hindu there will be no room for any Christian missionary or for a Scheduled Caste lady. Therefore, Government cannot take the narrow view of the case as is embodied in the amendment. As I have said, I oppose the amendment.

Mr. DEPUTY PRESIDENT: The question before the House is that in clause 2 of the Bengal (Rural) Primary Education (Amendment) Bill, 1942, for sub-clause (*1*) the following be substituted, namely:—

"(*1*) after clause (*b*) of sub-section (*1*) the following new clause shall be inserted, namely:—

'(*bb*) Two women—one Hindu and one Muslim—to be elected by the Women Constituencies of the Provincial Legislative Assembly of the cities of Calcutta and Dacca'."

A division was challenged with the following result:—

AYES—10.

Ahmed, Mr. Mesbahuddin.	**Molla, Khan Sahib Subidali.**
Ahmed, Mr. Nur.	**Momin, Begum Hamida.**
Aziz, Khan Sahib Abdul.	**Quasem, Khan Sahib Abul.**
Chowdhury, Mr. Hamidul Huq.	**Singh Roy, Sir Bijoy Prasad.**
Hosain, Khan Bahadur Saiyed Muazzamuddin.	**Talukdar, Dr. Kasiruddin.**

NOES—17.

Barua, Mr. D. L.	**Das, Mr. L. C.**
Chowdhury, Mr. Khorshed Alam.	**Jan, Alhadj Khan Bahadur Shaikh Mohd.**
Cohen, Mr. D. J.	

Kabir, Mr. Humayun.	**Ray, Mr. N. N.**
Karim, The Hon'ble Khan Bahadur M.	**Ross, Mr. J. B.**
Maitra, Rai Bahadur B. M.	**Roy, Mr. A. D.**
Mookerjee, Mr. N. N.	**Roy, Rai Bahadur R. B.**
Nimmo, Mr. T. B.	**Roy Chowdhury, Mr. B. K.**
Rahman, Khan Bahadur Ataur.	**Sanyal, Mr. S. N.**

Mr. DEPUTY PRESIDENT: Order, order. The House has divided. For the amendment—10; against the amendment—17.

Therfeore, the amendment is lost.

Mr. AMULYADHONE ROY: On a point of order, Sir.

Mr. DEPUTY PRESIDENT: There is nothing before the House on which you may raise your point of order.

Mr. AMULYADHONE ROY: I refer to a thing which has already taken place in the House and my point of order is this——

Mr. DEPUTY PRESIDENT: Order, order. Khan Sahib Abul Quasem, you move your amendment.

Khan Sahib ABUL QUASEM: Sir, I beg to move that in clause 2 of the Bill, for sub-clause (*1*), the following be substituted, namely:—

"(*1*) for clause (*c*) of sub-section (*1*), the following clause shall be substituted:—

'(*c*) Seven members to be appointed by the Provincial Government, who shall be directly interested in the advancement, management, and control of primary education as Secretary, teacher or benefactor of a primary school or as educational expert, and of whom two shall be women, one being a Muslim and the other a Hindu, and two shall belong to the Scheduled Castes'."

Sir, I have sought to embody the Government proposals in one clause which will be substituted for the present clause of the existing Act. Government want that there should be two women representatives and for this they propose that there should be 7 nominated members instead of 5 as at present. Sir, Government want that these members should be appointed by Government. I know that we have no influence over the Government and so our suggestion may not be accepted. Now, Sir, there is a phrase in the Government proposal, namely, two women "interested in education" I would like to draw your particular attention to this phrase. Sir, this is a very vague and indefinite phrase, almost without meaning. The words "interested in education" may be made to bear any meaning that the Government of the day may choose to put upon it. Sir, today we are concerned with primary education, a particular variety of education which is the lowest rung of the ladder of education. So, Sir, in my amendment I tried to define

clearly what the phrase, "interest in education," so far as the purpose of the Act is concerned, should mean. I say, Sir, that these people who will be appointed should be interested in the advancement and management and control of primary education, which is the purpose of the Bengal Rural Primary Education Act. Therefore, every person who has got to be appointed or nominated by Government, should satisfy that he possesses these qualifications. I have sought to provide that he should show his interest in rural primary education as Secretary or teacher or benefactor of a primary school or he should be an educational expert. It is, I believe, in this way that interest in primary education, with which we are concerned in the present Bill, should be shown. Therefore, I do not leave it to the sweet will of the Government to give whatever meaning it likes at different time to this phrase and appoint any one according as it suits the convenience of the Government. Now, my esteemed friend Mr. Naresh Nath Mookerjee exhorted us to have faith in the Government in making the choice of these representatives and he asked us to leave it to the Government and to trust the Government to appoint suitable and competent representatives. My friend is speaking without his books, if I may respectfully say so. I will say that an ounce of fact is worth a ton of theory. I will give two facts. Just now,—if my friend Mr. Naresh Nath Mookerjee will take the trouble of making an enquiry,—he will find on the Governing Body of the David Hare Training College—the college which is entrusted with the training of teachers who are graduates—on the Governing Body of that institution he will find members nominated by the Government who have no educational qualifications whatsoever.

Mr. NARESH NATH MOOKERJEE: Who are they?

Maulvi ABUL QUASEM: Well, for the sake of decency, if he will see me privately I will whisper the name for his edification. I say that if he will take the trouble of an enquiry he will find to his amazement and edification that Government has——

Mr. DEPUTY PRESIDENT: I would request you not to address members and to confine your attention to the subject-matter.

Maulvi ABUL QUASEM: I am speaking on the subject. I will ask my friend to enquire and he will find that at the present day on the Governing Body of the David Hare Training College there are representatives, chosen and nominated by Government, who have got no educational qualifications and they are there to take part in discussions for which they do not possess qualifications. The Government has done it. They have got to please some of their supporters, and therefore choice has gone to these men. And, Sir, he will find, if he takes the trouble of enquiring, just now a committee of selection is sitting at the Campbell Medical School to select candidates for admission, and he will find if he cares to scrutinise——

Mr. DEPUTY PRESIDENT: Order, order; is all that relevant?

Khan Sahib Maulvi ABUL QUASEM: Sir, I am only commenting on the amazing performances of high personages of Government who were entrusted with the task of nominating suitable and proper persons. I know how nominations are made. My friend says that Government may be so trusted, and I am citing instances to show why Government cannot be trusted. I submit I am perfectly relevant, indeed as relevant as one can ever be. As I was saying, on the Selection Committee of the Campbell Medical School will be found persons nominated who are quite innocent of education, and yet these are the persons who will select I.Sc.'s, B.A.'s, and Matriculate candidates for their fitness to receive medical training in this province——

Mr. DEPUTY PRESIDENT: Order, order. Is this not indirectly casting reflection on these persons?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Is it fair to the other members of the House that the honourable member should speak of matters about which other honourable members have no knowledge?

Khan Sahib Maulvi ABUL QUASEM: My friend says that in the matter of nomination Government may be trusted to do the right thing, and I have been citing instances to show that Government cannot be trusted to do the right and proper thing, and that in this matter Government will be only too readily guided by considerations which will have nothing to do with the Education Committee or Board; they will be guided by considerations of party advantage, of party patronage from the point of view of party interests and not at all from the point of view of education, pure and simple. That is why I have defined what sort of interest in primary education the persons to be appointed to the committee should give evidence of. That is why I provide "who shall be directly interested in the advancement, management, and control of primary education as secretary, teacher or benefactor of a primary school or as educational expert." In this way they can show that they have an interest in primary education and that they are qualified to be chosen and appointed by Government to the Primary Education Committee. I need not make any speech on the proposal that out of the two women proposed, one should be a Hindu and the other a Muslim, for in the previous speech I have already given my support to that proposition.

But, Sir, there is another verbal change that I propose. When the main Act was enacted in the year 1930, the phrase used in regard to the Scheduled Castes community was Depressed Classes. But in the new Government of India Act of 1935, the technical expression that has been used is the "Scheduled Castes," *i.e.*, the castes that have been enumerated in a Schedule to the Government of India Act, and who have been given special importance and privilege in that Act itself. So I would submit that the expression "Depressed Class" is now quite antiquated and out of date and moreover it is not, I should say, quite a happy phrase. I think, therefore, that the "Scheduled Castes community" is the proper phraseology to

use and not the "Depressed Class." The expression hurts the dignity and self-respect of my fellow-brethren of the Scheduled Castes, and I have, therefore, suggested that the words be replaced by the appropriate expression. I also find that the Government have realised the necessity for this change, for it will be found that in sub-section (2) of clause 3 of the present amending Bill, as passed by the Assembly, the Government have used the words "Scheduled Castes" instead of the words "Depressed Classes." Therefore, if the Government have not shut the doors of their minds against light to come in, they should, at least for the sake of consistency and uniformity, accept the amendment I have moved. This will make the expression in the Bill uniform. Government may be determined to pass the Bill as it has emerged from the Assembly, and they can easily do so because they have got a majority—but by so doing they will leave an anomaly in the Act itself which will mar the drafting of the Act. In this view, namely, that since the Government have used the words in the Bill itself, I submit that at least for the sake of uniformity and consistency they should accept my amendment. "Depressed Classes" is absolutely antiquated. The expression "Depressed Class" is inadequate, out of date and should no longer be used. To sum up, in my amendment I have accepted the Government's proposal of nomination. I have allowed Government to retain the power of nomination. But I have tried to clear the vague term "women interested in education." Another thing I have suggested is that the phrase "Scheduled Castes" be substituted for "Depressed Class," as proposed in another section of this amending Bill itself. I hope that Government will see the wisdom of accepting my amendment and make the language uniform throughout.

Mr. DEPUTY PRESIDENT: Amendment moved: that in clause 2 of the Bill, for sub-clause (*1*) the following be substituted, namely:—

"(*1*) for clause (*c*) of sub-section (*1*), the following clause shall be substituted:—

"(*c*) Seven members to be appointed by the Provincial Government, who shall be directly interested in the advancement, management, and control of primary education as Secretary, teacher or benefactor of a primary school or as educational expert, and of whom two shall be women, one being a Muslim and the other a Hindu, and two shall belong to the Scheduled Castes'."

Mr. LALIT CHANDRA DAS: Sir, consistency is the bugbear of fools and so I find Khan Sahib Abul Quasem is not consistent. A similar amendment stood in the name of Khan Bahadur Saiyed Muazzamuddin Hosain and therein when he suggested that two women should be members of the Central Committee, he suggested also that they should be elected. When that motion came before the House for discussion, my friend Khan Sahib Abul Quasem was very eloquent in his speech falling foul of Dr. Shyama

Prasad Mookerjee and Mr. Fazlul Huq and vehemently pressing for election by all means and with all force. By his own amendment, he is now advocating nomination, pure and simple. Can somersault be more complete? Whereas Government is content with five persons of whom two will be women and two from the depressed classes, my friend Khan Sahib Abul Quasem has gone a step further and asks for seven members to be nominated of whom two shall be women, one being a Muslim and the other a Hindu, and two shall belong to the Scheduled Castes. He is restricting nomination to certain classes of persons. He has no objection to the nomination of two women and two Scheduled Caste members. He practically accepts Government proposal, the only difference being that in his zeal for nomination he increases the number to seven. He wants to satisfy himself that of the two women representatives, one is a Muslim and another a Hindu. To that, a clear answer was given by the Hon'ble Leader of the House when replying to the amendment of my friend Khan Bahadur Saiyed Muazzamuddin Hosain that the Government should be trusted to make the best use of the provision—that both the nominations may go to Muslim or to Hindu, or there may be one Muslim and one Christian or one Muslim and one Scheduled Caste. The field is wide enough and the choice must be left to Government. That is, Sir, quite reasonable.

Then, Sir, with respect to the other point, namely, increasing the number from five to seven. That is a proposition which need not be discussed, for nomination is not a very desirable proposition. It is quite unnecessary to increase the number of members by nomination.

With these words, I oppose the amendment.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, Government in their wisdom have decided not to accept this amendment.

Mr. DEPUTY PRESIDENT: The question before the House is that clause 2 of the Bill, for sub-clause (*1*) the following be substituted, namely:—

"(*1*) for clause (*c*) of sub-section (*1*), the following clause shall be substituted:—

'(*c*) Seven members to be appointed by the Provincial Government, who shall be directly interested in the advancement, management, and control of primary education as secretary, teacher or benefactor of a primary school or as educational expert, and of whom two shall be women, one being a Muslim and the other a Hindu, and two shall belong to the Scheduled Castes.' "

(The amendment was negatived.)

Mr. NUR AHMED: Sir, I beg to move that for sub-clause (*1*) of clause 2 of the Bill, the following be substituted, namely:—

"(*1*) for clause (*c*) of sub-section (*1*), the following shall be substituted, namely:—

'(*c*) five members to be appointed by the Provincial Government, of whom one shall be the representative of the Scheduled Caste, one Hindu woman, one European, one Moslem woman and one Moslem interested in primary education.' "

Sir, I think this amendment is a very reasonable one and at the same time most important. Sir, on going through the section which deals with the constitution of the Central Committee, we find that there will be 16 members of whom one will be the Director of Public Instruction, *ex-officio;* 10 members elected by the District School Boards, each Division sending two members, one Hindu and one Muslim. Then sub-section (*c*) says "out of 7 members 5 members will be appointed by Government including the 2 depressed classes". As the present constitution stands, there is an overwhelming majority of elected members in the committee but if the provision of this bill-clause is accepted, that will be altered. There will be 8 nominated members as against 10 elected. This is one important point. There is another point. It is a fact that Muslims form the majority in Bengal and that due to their backwardness they are more interested in primary education. From the latest census report it appears that only 3 per cent. of Muslim females are educated and about 10 per cent. of Muslim males. So it is necessary that Muslims should be properly represented on the Central Committee which will practically control the primary education in Bengal. Sir, we find that in the Central Committee, as constituted under section 4 of the existing Act, Muslims were in a hopeless minority. There were only 5 Muslim members as against 7 Hindus. I do not want to cast any reflection on the great Hindu community but in practice we have found that they are not so very enthusiastic about the education of the Muslim community. Sir, that injustice was done to the Muslim community by a Legislature in which the Muslims were hopelessly in a minority. Now, the present Government has come forward with this proposal to make that inequity more inequitous. Sir, it is known to all that as a result of the Lucknow Pact Muslims were placed in a minority in the old Legislative Council and that Lucknow pact was accepted by the present Chief Minister of Bengal. He was the representative of Bengal to the Conference which produced that Pact and in spite of vehement protests he accepted it and the result was that Muslims were placed in a hopeless minority in the old Legislature. Sir, hope was held out then that this injustice will be made up for by the Provincial Legislature at whose hands the Muslims will get their due share. But, unfortunately, Government has come forward with a proposal which, I think, will make the Muslim majority very insignificant. Sir, from my personal experience I can say, that the attitude of the other community with regard to primary education of Muslim boys and girls is hostile. In support of this I can cite the instance of the

Chittagong Municipality. The Chittagong Municipality very successfully introduced primary education for boys and girls, including Muslim girls. A hazardous experiment was made there and proved to be successful. What was the attitude of a section of educated Hindu and European community? They were always hostile towards the scheme which was commended in high terms by the Government. When the Municipality was superseded, the first act of the Special Officer was to dismiss all the teachers and mistresses of the primary schools. Their number was 250. What is the reason? The reason is that as Muslim boys and girls were being benefited, they should be deprived of that. Indeed, there was an agitation to this effect. Now some of the schools from which the teachers were dismissed without any reason have again been opened with new teachers, majority of whom come from the other community. With this example before the House, I hope my proposal will be sympathetically considered by the House. My proposal is reasonable, as I am against any increase in the number of the nominated members. I have proposed that there will be one depressed class representative, one Hindu, one European and two Muslims. It is a reasonable proposal and I think the Hon'ble Minister will accept it. It will serve the purpose of providing for representatives of women the Scheduled Castes on the Central Committee. There may be an objection that I have reduced the number of members of the Scheduled Castes. But I shall give my own reasoning therefor. The Scheduled Castes really do not deserve two members, for I hope the Hindu and even the Muhammadan members would be sympathetic towards their legitimate interests. Therefore, one member will do for them. I have also provided that one Hindu woman should be represented on the committee.

With these words, I commend my amendment to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Amendment moved: that for sub-clause (*1*) of clause 2 of the Bill, the following be substituted, namely:—

"(*1*) for clause (*c*) of sub-section (*1*) the following shall be substituted, namely:—

'(*c*) five members to be appointed by the Provincial Government, of whom one shall be the representative of the Scheduled Caste, one Hindu woman, one European, one Moslem woman and one Moslem interested in primary education.' "

Mr. LALIT CHANDRA DAS: Mr. Deputy President, Sir, I regret I have got to oppose the amendment. Sir, Mr. Hamidul Huq Chowdhury asks me why I regret. I regret to oppose the motion, because Mr. Nur Ahmed happens to be the only member from the Opposition who moves motions which are generally found to be reasonable. But in the present case, I find his amendment thoroughly unreasonable. He has provided for a seat being given to a European. But, Sir, he has given no reason why in the Act which is to regulate the primary education in the rural areas, there should be a European at all. There is absolutely no reason why there should be a

European on the Central Primary Education Committee. Sir, Mr. Nur Ahmed's motion is unreasonable not only from this point of view. In his anxiety to put in a European, he has reduced the membership of the Scheduled Castes from two to one. I strongly hold that there should be two representatives of the Scheduled Castes on the committee. Sir, even Khan Sahib Abul Quasem was careful enough to say that the number of the Scheduled Castes membership should not come down to below two. Mr. Nur Ahmed here has not only reduced the number from the Scheduled Castes but he has given representation to Europeans at the cost of this community. Not only this, Sir. He has been very unkind to the Caste Hindus. He has distributed the five seats among the communities but he has excluded the caste Hindus from membership of the committee. That is why, Sir, I say that for once my friend Mr. Nur Ahmed's amendment appears to be very unreasonable.

Then, there is another matter with regard to which I would make some observation. Nomination is generally meant for protecting the interests of any minority community or of any special interest, but it appears that Mr. Nur Ahmed is very anxious to get nomination for the major community in Bengal who normally should not need any safeguarding at all. He should not worry. Their interests are in the safe keeping of the members of the Cabinet as well as of the Chief Minister who is himself a good Mussalman. With these words, I oppose the motion.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Sir, I whole-heartedly support the amendment moved by my friend Mr. Nur Ahmed. He has so framed his amendment that the object underlying this amending Bill has been achieved without increasing the number of nomination. The existing Act provides already for 5 nominated seats and this is now proposed to be increased to 7. According to this amendment of Mr. Nur Ahmed five members are to be appointed by Government, of whom two would go to women, one Muslim and one Hindu; and of the two others, one goes to Scheduled Castes and one to Europeans and the other to a Muslim interested in primary education. I think it is a very good amendment. Without increasing the number of nomination, it satisfies the real object of the Bill. So, I whole-heartedly support the amendment.

Sir BIJOY PRASAD SINGH ROY: May I draw your attention that the time is up; are we going to sit longer today? May I also know if the House is going to be adjourned till tomorrow? If so, may I point out that most of the honourable members of the Hindu community would like to go home for the *Pujas*——

Mr. HUMAYUN KABIR: Muslims are also anxious to go home.

Sir BIJOY PRASAD SINGH ROY: All right, Sir, in this case then there is no communal difference. Here we are sailing in the same boat.

Probably it is the desire of all sections of the House that the House should adjourn today and should not meet tomorrow. May I appeal to the Leader of the House? I hope he will agree to the suggestion that the House should adjourn today.

Mr. DEPUTY PRESIDENT: Will the Hon'ble Leader of the House state when the House might meet next and what will be the business?

The Hon'ble Khan Bahadur M. ABDUL KARIM: I have already acceded to the request of both my Muslim and Hindu friends in this House, We are all anxious to get away from Calcutta on account of the *Id* and the *Pujas*. As a matter of fact, I should like that the House should adjourn today till about the 28th October or 2nd November.

Sir BIJOY PRASAD SINGH ROY: I propose that the next sitting be held on the 2nd November.

The Hon'ble Khan Bahadur M. ABDUL KARIM: All right I agree to that.

Mr. DEPUTY PRESIDENT: As the House is going to be adjourned for a long time, will it not be convenient if the consideration of the clauses of this Bill is disposed of before the House is adjourned for the *Puja* recess?

Mr. HAMIDUL HUQ CHOWDHURY: Sir, the time is up and it would be very difficult for us to continue longer in these days of *Ramzan*.

Mr. HUMAYUN KABIR: Let us adjourn the House now, Sir.

Select Committee Report on the Bengal Public Gambling (Amendment) Bill, 1940.

Mr. NUR AHMED: Sir, I beg to move that the date for the submission of the report of the Select Committee appointed to consider the Bengal Public Gambling (Amendment) Bill, 1940, be extended up to 31st December, 1942.

Mr. DEPUTY PRESIDENT: Motion moved that the date for the submission of the report of the Select Committee appointed to consider the Bengal Public Gambling (Amendment) Bill, 1940, be extended up to 31st December, 1942.

The question before the House is that the date for the submission of the report of the Select Committee appointed to consider the Bengal Public Gambling (Amendment) Bill, 1940, be extended up to 31st December, 1942.

(The motion was agreed to.)

Mr. DEPUTY PRESIDENT: The House stands adjourned till 2-15 p.m. on Monday, the 2nd November, 1942.

Adjournment.

The Council then adjourned till 2-15 p.m. on Monday, the 2nd November, 1942.

Members Absent.

The following members were absent from the meeting held on the 7th October, 1942:—

(1) Khan Bahadur Naziruddin Ahmad.
(2) Mr. Altaf Ali.
(3) Mr. Kader Baksh.
(4) Rai Bahadur K. C. Banerjee.
(5) Rai Bahadur M. N. Bose.
(6) Mr. S. C. Chakraverti.
(7) Khan Bahadur Rezzaqual Haider Chowdhury.
(8) Mr. B. C. Datta.
(9) Mr. N. C. Datta.
(10) Mrs. K. D'Rozario.
(11) Mr. K. K. Dutta.
(12) Khan Bahadur Alhaj Khwaja Muhammad Esmail.
(13) Mr. R. W. N. Ferguson.
(14) Mr. K. L. Goswami.
(15) Mr. Mohamed Hossain.
(16) Khan Bahadur Muhammad Asaf Khan.
(17) Maulana Muhammad Akram Khan.
(18) Mr. W. B. G. Laidlaw.
(19) Sir T. Lamb.
(20) Mr. R. Pal Chowdhury.
(21) Khan Bahadur Muklesur Rahaman.
(22) Rai Sahib J. N. Ray.
(23) Dr. K. S. Ray.
(24) Rai Sahib J. M. Sen.

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BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 12.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 2nd November, 1942, at 2-15 p.m., being the twelfth day of the Second Session of 1942, pursuant to section 62(*2*)(*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

Announcement about the demise of the Hon'ble Mr. S. C. Mitra, President of the Bengal Legislative Council.

Mr. DEPUTY PRESIDENT: May I request the honourable members to rise in their places?

(Honourable members rose.)

The Council meets to-day under the shadow of a great calamity. I have to perform the very painful and melancholy duty of informing the honourable members that our beloved President expired on Tuesday, the 27th October last, at 7-30 p.m. A life full of devoted public service, which will undoubtedly be remembered and emulated by his countrymen, has thus been prematurely brought to a close. Thank you, Gentlemen.

(Honourable members then resumed their seats.)

The business of the House is suspended and the office will remain closed for the rest of the day as a mark of respect to the memory of the illustrious deceased. The Flag of the Council will remain half-masted. I adjourn the House till 2-15 p.m. to-morrow when there will be no other business save and except the obituary reference.

Adjournment.

The Council then adjourned till 2-15 p.m. on Tuesday, the 3rd November, 1942.

Members Absent.

The following members were absent from the meeting held on the 2nd November, 1942:—

(1) Rai Bahadur K. C. Banerjee.
(2) Mr. S. C. Chakraverti.
(3) Mr. Humayun Reza Chowdhury.
(4) Mr. L. C. Das.
(5) Mr. B. C. Datta.
(6) Mr. N. C. Datta.
(7) Mrs. K. D'Rozario.
(8) Mr. K. K. Dutta.
(9) Khan Bahadur Alhadj Khwaja Mohd. Esmail.
(10) Mr. K. L. Goswami.
(11) Khan Bahadur Mohd. Asaf Khan.
(12) Mr. J. McFarlane.
(13) Mr. Naresh Nath Mookerjee.
(14) Dr. R. K. Mookerjee.
(15) Khan Bahadur Kazi Abdur Rashid.
(16) Dr. K. S. Ray.

B. G. Press—1942-43—6230A—750.

BENGAL LEGISLATIVE COUNCIL DEBATES

Second Session, 1942—No. 13.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 3rd November, 1942, at 2-15 p.m., being the thirteenth day of the Second Session of 1942, pursuant to section 62 (2) (*a*) of the Government of India Act, 1935.

Mr. Deputy President (Khan Bahadur ABDUL HAMID CHOWDHURY) was in the Chair.

Condolence Resolution on the demise of the Hon'ble Mr. S. C. Mitra.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Mr. Deputy President, Sir, I beg to move the following mournful resolution:—

> "This Council do place upon record an expression of its deep sense of sorrow at the sad demise of the Hon'ble Mr. S. C. Mitra, the first elected President of this Council, and of its heart-felt sympathy with the members of the bereaved family in their grievous loss."

Sir, little did I dream that I should live to see Mr. Satyendra Chandra Mitra pass away so unexpectedly and that I should have to move an obituary resolution in that connection. He was junior to me by 13 years. I had known his father too, a member of the Noakhali Bar, who was well-known for his sterling worth. I had been watching the career of Satyendra Chandra from the time of the Bengal Partition agitation; but I made his close personal acquaintance in Delhi in 1926 when I went there as a member of the Council of State. He was an important political figure of all-India fame from 1926 to 1930. His integrity, his straightforwardness, his honesty and his deep patriotism brought us closer together in spite of our different political alignments, and we came to respect each other's points of view. I had known Mr. Satyendra Chandra Mitra very well and so on the date of his election as the President of the Bengal Legislative Council I had no hesitation in declaring on the floor of this House my personal conviction that he would adorn the exalted Chair. I believe I voice the unanimous opinion of the House when I say today that Satyendra Chandra did enhance the dignity of the Chair and had remarkably succeeded in maintaining the prestige of the House and in securing the rights of individual members by his fair and impartial treatment towards the members of all sections of the House. He was no respector

of persons or parties. His knowledge of the rules and regulations, constitutions and parliamentary practice not only of Great Britain but of the Colonies which he had studiously cultivated and inspired as he was by the weighty rulings of Whyte and Patel, Presidents of the Central Legislature, made him an ideal President of the Bengal Legislative Council. As a staunch Congress politician he succeeded in harmonising the Congress and the bureaucracy, the progressive and unprogressive elements together—a very difficult and delicate task,—which, it must be admitted, was possible only for a man of Satyendra's calibre. I think that the void created in this Hon'ble House by his untimely death will not be filled up soon. Indeed, the House will stand widowed for many years to come. The sudden demise of a President like him is like a bolt from the blue. The Bengal Council is the poorest today by his death, and we, the members of the Legislature, have been bereaved of an honourable friend. We offer our deepest condolences to the widow and the only daughter of our beloved President. May his soul rest in peace!

With these words, I commend my resolution to the acceptance of the House.

Mr. DEPUTY PRESIDENT: Resolution moved: that this Council do place on record an expression of its deep sense of sorrow at the sad demise of the Hon'ble Mr. Satyendra Chandra Mitra, the first elected President of this Council, and of its heart-felt sympathy with the members of the bereaved family in their grievous loss.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Mr. Deputy President, Sir, I rise to support the resolution on behalf of the Party to which I have the honour to belong. Sir, I associate myself whole-heartedly with all that has fallen from the lips of the Hon'ble the Leader of the House. Sir, it was a great shock to us to know that our President had passed away so suddenly. He had been in failing health for a pretty long time, but we never thought that his end was so near. The Hon'ble the Leader of the House has already enumerated all the qualities of head and heart with which our President was endowed, and I have very little to add to what he has said. He was not only an ideal President but in the earlier part of his life he had shown what a real patriot he was. For the sake of his country he had cheerfully suffered persecution. He had endeared himself to all sections of the people, although there might have been difference of opinion with him regarding political issues. As the first elected President of the Upper House of the Bengal Legislature, he will long be remembered by the people of Bengal, and we feel that the gap which has been created by his death may not be filled for a long time.

With these few words, I whole-heartedly support the resolution which has just been moved by the Hon'ble Leader of the House not only on my behalf but on behalf of the Party to which I have the honour to belong.

Mr. J. B. ROSS: Mr. Deputy President, Sir, I rise to support the motion now before the House. I desire most earnestly to associate the European Party with everything which the Leader of the House has said in paying his tribute to our late revered President. On a melancholy occasion like this I feel that words cannot adequately express the depth of our regret and sympathy. Although frail in stature and by no means in robust health, the late Hon'ble Mr. Mitra was a dominating personality in this Council and his untimely death at 54 years of age, one might almost say in his prime, is a disastrous loss to us.

Endowed with a wide breadth of vision and a charming, courteous and tactful personality, he made it his business to cultivate the acquaintance of every member of this Council and every one of us without exception regarded him as a personal friend. A man of deep conviction, he suffered severely but cheerfully to maintain his political opinions and his greatness of character was, therefore, all the more emphasised when, in answer to the call of duty he presided over the Bengal Legislative Council since its inception in 1937 with outstanding fairness and impartiality, ever ready to right a wrong, fearless in his condemnation of injustice or unfair tactics and yet invariably ready to make the *amende honourable*, if he felt at any time that he had caused offence to any member.

His rulings were lucid and erudite and throughout the period in which we had the honour to watch him preside over the proceedings of this Council, he displayed a profound knowledge and grasp of parliamentary practice which was a matter of great satisfaction to every member of this House.

Each of us in this Party looked upon him as a personal friend and in fact we learned to love him not a little. He was truly a great man and we look upon his sad demise as having brought about an incalculable loss to this Council and to each of us personally.

Although he has passed on, his memory will remain eternal within this Chamber, deeply respected and cherished.

The European Party desires to express its deepest sympathy with his widow and family in their great loss. May God rest his soul!

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: With a heavy heart, Sir, I beg to associate myself with what has been said by the Leader of the House in offering our tribute of respect to the memory of the late Hon'ble Mr. S. C. Mitra, President of this Council. He had been ailing for some time, but we never thought that his end was so near. Mr. Mitra was an outstanding political figure in this province, and rose to eminence by dint of sheer merit. He had a long and meritorious record of sacrifice and sufferings in the cause of his country to his credit. As the elected President of the Council, he had earned considerable reputation and won the confidence, esteem and love of all sections of this House. As Mr. Ross, the Leader of the European Party, has justly said, he was a friend of all. He was well-known for his quick decisions which always displayed

a sound grasp of parliamentary technique and procedure. As the custodian of the rights and privileges of this House, he discharged the functions of the President with conspicuous success and his untimely death is a distinct loss to the province as a whole. I offer on behalf of my Party sincere condolences to the members of the bereaved family. It is a misfortune, indeed, that so promising a career has come to such a premature end. May his soul rest in peace!

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, the loss sustained by this Council and by the country at large on the death of the Hon'ble Mr. Mitra is keenly felt by all of us; but to me, Sir, this loss comes as an essentially personal one. I knew the late lamented President from the time when he joined the Calcutta High Court and since then I claim to have had his friendship till the last day of his life. Just two months ago, I met him suffering from very poor health. On that occasion he told me that for some time past he was having a presentiment that his days were numbered. Sir, as a public man and as a patriot, he was known to be sincere in his convictions and firm in upholding what he thought to be right. Here in this Legislative Chamber we found our late President extremely jealous of the rights and privileges of this House and tenacious in his endeavours to uphold his decisions without caring whether he favoured one Party or the other Party thereby. I confess that the rigidity with which the late President discharged his duty sometimes put the members of the Government to an awkward position. But nevertheless we did realise that, whatever his decisions may have been, there was sincerity and honestly behind the opinion which he held and propounded. In these days when there is so much camouflaging in everything—whether political, social, or otherwise—it was a great consolation to us to find that sincere patriots like Satyendra Chandra had not become rare. In the late Mr. Mitra we had an example of that sturdy champion of popular rights of which Bengal has reason to be well proud. We knew that he was in very weak health. In the beginning of this session when he was attending the meetings of the Council, we found that he was not in a fit state of health to discharge his duties but still he struggled against his own physical difficulties and came forward—much to our loss—to discharge his onerous duties. There can be no doubt, Sir, that the memory of such a man will not only live with us, but will be handed down to posterity as a pattern and an example for others to follow. As I said, Sir, I was closely associated with him for nearly 30 years. I always used to admire him for his sterling character and for his genuine patriotism. We had been very good friends. His end came so shockingly and suddenly that I cannot say how we will recover from the blow. He has now gone to the life eternal. We all pray that God Almighty may rest his soul in peace!

Mr. RANAJIT PAL CHOUDHURY: Mr. Deputy President, Sir, on my behalf and on behalf of my Party, I offer sincere condolences, at the untimely death of our beloved President, to the members of his bereaved family. I whole-heartedly support the resolution moved by the Hon'ble

Leader of the House. We had had numerous occasions during the last few years to come in close contact with the late Hon'ble President for discussing many questions relating to our work in the Council, and I can unhesitatingly say that he was the best President that the Council has ever had in this province. We all deeply mourn his loss.

Sir BIJOY PRASAD SINGH ROY: Mr. Deputy President, Sir, with a heavy heart I rise to associate myself with the resolution that has been so ably moved by the Hon'ble Leader of the House. The news of the demise of the Hon'ble Mr. Satyendra Chandra Mitra came to us with tragic suddenness. He had been in a poor state of health for a long time, but little did we apprehend that his end was so near. As a Leader of this House I had opportunity of coming into close contact with the Hon'ble President and I can testify to his anxiety to guard the rights and privileges of this House. In fact, he contributed by his rulings largely to the usefulness and prestige of the Second Chamber in this province, and I am sure his memory will go down to posterity as of one who diretly helped the development of parliamentary institutions in this country. May his soul rest in peace!

I hope and trust that this House will cherish his memory with affection and gratitude and will take necessary steps to perpetuate the same.

Maulana MUHAMMAD AKRUM KHAN : মান্যবর ডেপুটি প্রেসিডেণ্ট মহোদয়, আমি Constitutional law সম্বন্ধে অনভিজ্ঞ। সুতরাং সেই সম্বন্ধে আমাদের সুযোগ্য প্রেসিডেণ্ট যা কোরেছেন এবং সে সম্বন্ধে তাঁর যে যোগ্যতা সেটা সম্পূর্ণভাবে অনুভব করবার শক্তি আমার ছিলো না। সত্যেন্দ্রচন্দ্রের সঙ্গে আমার পরিচয় কাউন্সিলের প্রেসিডেণ্ট হিসেবে নয়। এই কাউন্সিলের প্রেসিডেণ্ট হবার আগে যে দিন তাঁর জীবন বিভিন্নরূপে অগ্নিপরীক্ষার সাফল্যে গৌরবান্বিত, সেই দিন থেকে সত্যেন্দ্রচন্দ্রের সঙ্গে আমার পরিচয়। আমিও আমাদের মান্যবর প্রধান মন্ত্রী মহোদয়ের সঙ্গে সমকণ্ঠে একথা বোলতে পারি যে সত্যেন্দ্রচন্দ্রের জীবনের এই একটা বিশেষত্ব ছিলো যে তাঁর ভিতর camouflage জিনিষটে ছিলো না। ব্যক্তিগতভাবেই তাঁকে আমি দেখেছি; উকীল হিসেবে তাঁর পরিচয় আমি পাইনি। আমি উকীল নই, কি কোরলে ভালো বা মন্দ উকীল হওয়া যায় তা আমার জানা নেই। কিন্তু যে দিন চিন্তা ও কর্ম্মের বিভিন্নমুখী বিপ্লব-বন্যার বেগ বাংলার মাটির অন্তস্থল পর্য্যন্ত একটা কম্পনের সৃষ্টি কোরেছিলো, সেই দিনে আমি প্রথম দেখি সত্যেন্দ্রচন্দ্রকে। তারপর থেকে, আমি তাঁকে বিপদে দেখেছি, সম্পদে দেখেছি, আধ্যাত্মিকতার আলোচনায় দেখেছি, সংকীর্ত্তনের মিলনের মধ্যে দেখেছি, এবং উপবাস-ক্লিষ্ট কর্ম্মী হিসেবেও দেখেছি। সর্ব্বত্রই দেখেছি—সম্পদ তাঁকে কর্ত্তব্য থেকে বিচলিত কোরতে পারেনি এবং বিপদ তাঁকে আদর্শ থেকে বিচ্যুত কোরতে পারেনি। আমি আর বেশী কিছু বোলতে চাইনে। তাঁর সঙ্গে আমার বন্ধুত্ব ছিল বহু দিনের এবং খুব গভীর। তাঁর শোকসন্তপ্ত পরিজনবর্গ তাঁর জন্য যে অভাব, যে অব্যক্ত বেদনা অনুভব কোরছেন, —এখানে এতগুলি ভদ্র ব্যক্তি আপনারা সব রোয়েছেন আপনাদের কাছে আমি বোলছি,

আর উপরে বিধাতা দেখছেন—তাঁর কাছেও সমস্ত অন্তরের সঙ্গে আমি এই কথা বোল্‌তে পারি—সত্যেন্দ্রচন্দ্রের সেই শোকসন্তপ্ত পরিজনদের কারো চেয়ে আমার বেদনা কিছু কম নয়।

এমন দিন গিয়েছে, যেদিন সত্যেন্দ্রচন্দ্রের যোগাসনের পাশে বোসে আমি কাজ কোরেছি, আলোচনা কোরেছি, সে সময়কার তাঁর ধ্যানের সব কথা আমি এখানে বোল্‌তে চাইনে। কিন্তু সেই আলোচনার একটা কথা এই ছিলো, যে শক্তিকেন্দ্র থেকে তিনি প্রেরণা আহরণ কোরতেন আমি বোলেছিলাম সত্যেন্দ্রচন্দ্রকে, আমাকে অনুমতি দাও, সেই শক্তিকেন্দ্র থেকে প্রেরণা আহরণ কোরতে এবং সেই দুই প্রেরণার সমাবেশে এমন একটা মহাপ্রেরণার সৃষ্টি হোক্ যার ফলে আমরা বাংলাদেশের প্রকৃত একটা অভাব যা অনেক দিন ধরে পূরণ হয়নি সেই অভাবটাকে পূরণ কোরে বহু শতাব্দীর পাপের প্রায়শ্চিত্ত কোরতে পারবো। আপনারা আজ অনেকেই এখানে কাউন্সিলের প্রেসিডেণ্ট হিসেবে তাঁর সূক্ষ্ম আইনবোধ ও পারদর্শিতার প্রশংসা কোরেছেন, আইন সম্বন্ধে আমার অভিজ্ঞতা কম সেই জন্য সে দিক দিয়ে আমার বিশেষ কিছু বলার নেই কিন্তু একটা কথা আমি মুক্ত কণ্ঠে স্বীকার কোরবো। কাউন্সিলের সভাপতিপদে তাঁর নির্ব্বাচনের সময় কোনো কোনো দিক থেকে আমাদের উপর একটা অভিযোগ হোয়েছিল। কিন্তু সত্যেন্দ্রচন্দ্র তাঁর গত ছয় বছরের কর্ম্মজীবনে প্রমাণ কোরেছেন যে মানুষ যদি যোগ্য হয়, যদি নিরপেক্ষ হয়, যদি সে ধর্ম্মভীরু হয়, তাহোলে হিন্দু প্রেসিডেণ্টের অধীনে মুসলমানের স্বার্থের ব্যাঘাত হয় না বা মুসলমান প্রেসিডেণ্টের অধীনে হিন্দুর স্বার্থের কিছু ব্যাঘাত হয় না।

আজ আমরা যাঁর সম্বন্ধে আলোচনা কোরছি তিনি আমাদেরি মতন জীবন-মরণশীল মানুষ ছিলেন। দেহ থেকে আত্মা বিচ্ছিন্ন হোলেই মানুষের যে মৃত্যু হয় তা আমি মনে করিনে।

সংস্কৃতে একটা শ্লোক আছে; আমার উচ্চারণের ভুলত্রুটি আপনারা মাপ কোরবেন—শ্লোকটি হোচ্চে—

চলচ্চিত্তং চলদ্বিত্তং চলজ্জীবন যৌবনম্
চলাচলমিদম্ সর্ব্বম্ কীর্ত্তির্যস্য স জীবতি।

আজ আমরা এতগুলি লোক এখানে এই যে সমবেত হোয়েছি—আমাদের এই মিলিত অশ্রুবর্ষণে যে মর্ম্মবেদনার প্রকাশ—এতে কোরে আমার দৃঢ় বিশ্বাস হোচ্ছে সত্যেন্দ্রচন্দ্রের মৃত্যুর স্মৃতি এবং তাঁর জীবনের আদর্শকে বাঙালী জাগ্রত কোরে রাখবে। আমি বিশ্বাস করি সত্যেন্দ্রচন্দ্রের মতন কোরে যে বাঁচতে পারে তার জীবন সার্থক এবং তাঁর মতন কোরে যে মোরতে পারে তারই মরণ সার্থক।

Mr. K. C. ROY CHOWDHURY: Sir, I also associate myself with the resolution before the House. On behalf of the Indian Federation of Labour and as a personal friend of Satyen Babu—because that is the name with which we used to call him—I wish to express our sorrow at the premature passing away of our late Hon'ble President. By his innate goodness and courtesy Satyen Babu endeared himself to all sections of this House. He was a sincere champion of the working-class people. He joined the labour movement in 1936 or 1937 and was so popular that he was nominated by the Railway Workers' Trade Union to contest the Railway Workers' Seat in the Assembly. He was also nominated by the Bengal Trade Unions Federation and contested the Coal Miners' Seat from the Burdwan district

Ever since his election as President of this Council, I saw almost daily scores of unemployed youths seeking his recommendation for jobs, and I believe, he found work for scores of them either in the Calcutta Corporation, or in the Calcutta University or under the Government, or in the mercantile firms. He presided over the Labour Conference at Kankinarah in 1938 opened by the then Labour Minister Mr. H. S. Suhrawardy and his thought-povoking address on that occasion appealed to thousands of Hindu and Muslim mill-hands who gave him ovation.

His rulings from the Chair were admired throughout India. In fact, just a few weeks back when I was at Almora, I met Dr. Kailash Nath Katju, a leading Congressman and ex-Minister and a distinguished advocate of Allahabad. He told me that he took great interest in reading Mr. Mitra's ruilngs which were published from time to time in the United Provinces papers and actually compared him with the great Speakers of Parliaments outside India. Sir, the late Mr. Mitra defended bicameralism as an axiom of political science and his researches into the origin and functions of Second Chambers all over the world were indeed remarkable. His Report in 1940 on the working of the Bengal Legislative Council and the administration of the Council Department is a memorable document. He gave convincing facts and figures in that Report to prove that Parliamentary Democracy based on Party politics and rule of the majority was likely to prove positively harmful without a revising Second Chamber. He demolished the pet theory of the Congress leaders that the Upper House was an undemocratic body and not good for the country. Here I may quote his own words—his memorable words—in defence of the Upper House: "The case for a Second Chamber in Bengal would appear to be overwhelming indeed; what with the existence of two major communities with sharply-defined interests and ideologies struggling for power and position and also the presence of influential vested interests represented by the landed aristocracy and the mercantile communities clamouring for special protection etc."

Whenever I called on him I found him immersed in the study of constitutional laws and ruling of the Speakers of foreign and British Legislatures outside India. He worked very hard indeed for the improvement of the administrative machinery of this House and for adequate personnel for the Council Department. He fought, as you all know, consistently for a separate Council House and for establishing joint control over the Library of the Legislature. Apart from his intellectual greatness, his selfless patriotism and his sacrifices for his motherland, he was intensely religious, as has been so well alluded to by Maulana Akrum Khan in his speech. He was well versed in the Vedas, the Upanishads and in the Bhagabat Gita. In fact, he took charge, to my knowledge, of the "Geeta Classes" in Russa Road when he was a member of the old Legislative Council.

I still preserve as a memento the letter which he wrote to me about three months back at Almora, in which he requested me to secure a house for him in Almora. He preferred this holy place to Mussoorie, Darjeeling or Kalimpong, from which places offers for a house came to him. His

next desire was to be on the banks of the Ganges in Benares—a fact which shows as if he had a sort of premonition that he would depart for the next world at holy Benares. But fate decided that he would breathe his last elsewhere. He travelled to Narayanganj on that cyclonic day, the seventh day of the Pujas, by train and steamer and his hurried return to Calcutta must have involved too great a strain on him. We pray for the soul of this deceased patriot and hope that God Almighty will give his widow and his only daughter and other members of his family consolation. May God grant his soul eternal peace!

Mr. SACHINDRA NARAYAN SANYAL: Sir, we assemble today under the shadow of a great calamity. Since we met last we have lost the Hon'ble Mr. Satyendra Chandra Mitra, our distinguished President. Sir, I have never before taken anything but a silent part in obituary references, but the blow this time is too severe to be borne in silence. The sad demise of the Hon'ble Mr. Mitra removes an outstanding personality from the field of Indian politics. I had the privilege of working on his behalf when he offered himself for election to the Central Legislature from the Rajshahi Division and I had the good fortune to listen to his speeches regarding police excess at Chittagong about that time. It is well-known that the cause of detenus and political sufferers of Bengal had in him an indefatigable champion who fought relentlessly in securing relief for them.

As a public man, the late Mr. Mitra was a brave leader. Since he passed out of the University, his organising ability attracted the attention of Deshbandhu Chittaranjan Das and as his lieutenant Mr. Mitra took a very active part in the formation of the Swaraja Party. He also became Secretary of the Bengal Provincial Congress Committee during the stormy days of 1922-23 and served the Congress cause with zeal and devotion. He paid dearly for the love of his motherland and was twice incarcerated—once as a security prisoner and again as a deportee under Regulation III of 1818.

As the custodian of the rights and privileges of this House, he was well-known for his impartial rulings, quick decision and dignified bearing. The able manner in which he discharged the duties of the President of Bengal's first Second Chamber during its formative period will always be admired by all interested in India's constitutional history.

While expressing my sincerest condolences on the demise of our beloved President, I feel confident that the members of this House will take suitable steps to perpetuate his memory in a manner befitting his services to the country.

Mr. BIRENDRA KISHORE ROY CHOWDHURY: Sir, I feel honoured to associate myself with the resolution which has already been moved by the Hon'ble Leader of the House about our late President, the Hon'ble Mr. Satyendra Chandra Mitra. I had known him for many years very intimately, and found him as pleasant as a private gentleman as he was able, efficient and considerate as a public functionary.

It is not necessary for me, Sir, to recapitulate the details of his patriotic career. It is enough for me to point out that early in life like many other ardent young men of this province he plunged himself into our national movement and suffered incarceration repeatedly at the hands of the Government. But no punishment, however severe, could quench the fire of his patriotism. He was irrepressible throughout.

Later in life, Satyendra Chandra became a firm believer in fighting out his country's cause through the Legislature. He stuck to his membership of the Central Legislative Assembly when the other members elected on Congress ticket withdrew from this arena of activity at the behest of the Congress, and who would deny that he rendered considerable service to his country and people according to the light that was given to him in the capacity of a legislator? Unlike many other ardent patriots, he was a confirmed believer in Second Chambers in the provinces. In his opinion no legislation would be just and perfect unless it had the opportunity of revision by a smaller and a more sedate body. This opinion on his part was quite befitting the position which he held in this House. As our President he proved to be firm and considerate. He held the scales even between different groups and what is more, he held the scales even also between the so-called front and back-benchers. On more than one occasion, he thought it right also to rebuke the Treasury Benches sharply for their neglect of the proceedings of this House. It may not be known to many, Sir, that for some years past Satyendra Chandra had taken a keen interest in some of the important educational institutions in this province. He became prominently associated with the National Council of Education. As its Rector and *ex-officio* Chairman of its Managing Committees, he rendered signal service to the movement for national and technical education in Bengal. He was also taking a keen interest as a responsible office-bearer of one of the national medical schools in Calcutta. By his untimely death, these institutions have suffered a grievous loss.

Satyendra Chandra is no more in our midst, but the conduct he displayed, the precedents he created and the traditions he set, will surely live long after his death and inspire his successor on the Presidential Chair. With these few words, Sir, I again associate myself whole-heartedly with the resolution now before the House.

Mr. DHIRENDRA LAL BARUA: Sir, it is a mournful day when we meet in this Chamber under a shadow of grief felt by all of us in the inmost depths of our hearts on account of the death of the late Hon'ble Mr. Satyendra Chandra Mitra. Though nothing is more certain than that death will overtake us some day, yet when it actually occurs it seems all too sudden and unexpected. The Hon'ble Mr. Satyendra Chandra Mitra is no more in our midst to adorn the Presidential Chair, the honour and dignity of which he upheld to the last by his impartiality of judgment and keen sense of civic duty. A patriot that he was, his heart ached for the oppressed. He suffered imprisonment in trying to serve the cause of Motherland, but he was at the same time a disciplinarian by conviction.

He believed that discipline was the essence and foundation of national life and progress. From the first day of my coming to this House as a Budhist member, I was gradually drawn to his genial personality, and after I had met him, I found in him a true and sincere friend of the minority interests. As the first President of the Second Chamber in this Province, he had not the benefit of precedents to guide him in his work, but I hope every member will agree with me when I say that he discharged his duty admirably, always anxious about the dignity of the Chair and the privileges of the members. He safely pilotted the multifarious business sometimes through storm and stress and the secret of his success principally lay in the fact that he possessed considerable knowledge of the up-to-date parliamentary procedure in all democracies. This knowledge he utilised for promoting the best interests of this House and of this province. So, I am very proud indeed to associate myself with the resolution which seeks to pay a tribute of respect to his inspiring memory.

Mr. HUMAYUN KABIR: Mr. Deputy President, Sir, the speeches which have been delivered in this House prove that the Hon'ble Mr. Satyendra Chandra Mitra, whose sad and untimely death we mourn today, was not only the first elected President of the Bengal Legislative Council but was also a man whom every member of this House regarded as a close and personal friend. Sir, from the very first day that this Council met, he conducted our deliberations and during the course of the last six years built up the traditions and dignity of the House in a manner for which I think the members of this House will always remain grateful to him. Sir, the quality which struck every member of this House most in the Hon'ble Mr. S. C. Mitra was the independence of his spirit, the fighting spirit which he exhibited on all occasions. He neither feared anyone nor favoured anyone. He not only made no difference between the Treasury Bench and other members but also between the back-benchers and front-benchers. This quality of independence, this quality of impartial treatment, this quality of trying to judge every question on its own merits irrespective of what others might think, irrespective of what consequences might follow, not only endeared him to the members of the House but also earned for him their respect and gratitude. Sir, I might mention one or two instances of his concern for the rights and privileges of this House. Perhaps it will be in the memory of many members in this House that when the question of the Public Accounts Committee came up, it was Mr. Satyendra Chandra Mitra who gave a ruling by which he established the rights of this House in a manner which can no longer be ignored by anyone. Whenever there was the slightest doubt on any matter, he would bring it before the House and take all members into his confidence. It was thus that he maintained the dignity and privileges of this House.

In the many-sided activities during his public life,—in his political activities, in the sufferings he had to undergo as a result of his political activities,—this quality of independence and fighting spirit characterised all the actions of Mr. Mitra. And even in his last days, when

we knew him to be ill, it was quite apparent that he was fighting against illness, he was fighting against disease in order to carry on the business of this House. Sir, perhaps it is not known to many members here that he was a founder of the Empire Parliamentary Association of the Central Legislature, but it is known to most members of this House as well as the members of another place that he was virtually the creator of the Bengal Branch of the Empire Parliamentary Association. As President, he has in every way enhanced the prestige and the dignity of this House.

Personally, Sir, I regard it as a melancholy memory that on the fateful night when he was coming back to Calcutta a couple of days before he expired, I was his fellow-traveller. On Monday morning I reached Calcutta, but on that very night I had to leave this place; but when I left, I had not the faintest idea that the day after next I would see the sad news in the papers. Many of us knew that he was ill, but no one for a moment thought that the end was so near. He bore his illness and his sufferings with such courage and fortitude that he did not allow even his nearest friends to realise that death was hovering almost on the threshold of his life. Sir, it is, therefore, with a sense of melancholy loss that the House has met today and, Sir, even in this sorrow the House remembers the dignity and the honour which the activities of the late President have conferred upon this House. As long as this House continues, it will cherish his memory. It will remember that as the first elected President, he brought dignity and prestige to the proceedings of this House.

Khan Bahadur NAZIRUDDIN AHMAD: Sir, I also desire to be associated with the resolution. Though I have little new to add, I owe a duty to the late Hon'ble Mr. Mitra which should be discharged on this occasion. It seems that it was only the other day that the House elected him its President by a majority of one vote. It is also now the experience of all that the choice was a very happy one. He was a staunch Congressman and there were some misgivings in this House at the time of his election that he would not probably be able to rise above Party politics. But these doubts were quickly dispelled by his clear rulings, his able decisions and his grasp of fine points. He was justly famous for quickness of his decisions. It has been pointed out that his decisions were independent and honest, but it should also be said that his decisions were just and always right. It would be wrong to suggest that the Hon'ble Mr. Mitra was over-anxious or over-zealous for the rights of the House. He deeply felt and, what is very important, he rightly felt that the existence of the House depended on the vigilance of its President. It will be admitted by all that the House exists with its present status and utility on account of his ability and independence. The Hon'ble Mr. Fazlul Huq has said that Government sometimes felt a little awkard by his rulings. That was due to the fact that he acted with independence. His great popularity has prompted so many members to be associated with the resolution before the House. The late President was anxious for the rights and privileges of the House and he maintained them at a high level. Many members have

attempted to assess the work of the late Mr. Mitra, but the attempt has been and must be a hurried and perfunctory one. It will take a long time to fully appreciate and properly assess the volume and quality of the work that has been done by him. Although Mr. Mitra is no more, his voice will still ring in our ears; his spirit would guide the House and the members will cite with pleasure and profit his innumerable rulings on many difficult points of parliamentary technique and procedure. I do not wish to take up the time of the House by recounting the many obvious qualities of the late Mr. Mitra. But I would conclude by referring to one matter. It has been said by the Hon'ble Leader of the European Group that every member of this House felt that he was personally interested in the President and that the President also cultivated the friendship of us all. That is also my feeling. We feel that he was the only man among the members of the Council who was competent to be the first President of the House during the last few years of its formative stage. With these few words, Sir, I beg to associate myself with this occasion.

Khan Bahadur ATAUR RAHMAN: Sir, I fully associate myself with the resolution so ably moved by the Hon'ble the Leader of the House, and also with the sentiments expressed by other honourable members before me. We meet here today in a solemn atmosphere. The whole House is, as it were, in the grip of the deepest gloom. I received the news of his death through the circular letter of the Secretary of this House at my village home and since then this incident has constantly preyed on my mind.

As to the qualities of the late President, there have been many speeches already and I need not recapitulate them, but I would only mention in a few words that his dominating personality, his fearless decisions and his impartial and clear rulings will ever be remembered. Sir, he was austere and strict when he sat on the Chair in this Chamber, but he was an altogether different man when he went to his room. There he was very congenial and cordial to everyone, discussing things very intimately as a friend. Inside the Chamber he was a strict disciplinarian, as was required of the occupant of the exalted office he held. Today we are really proud that we had a President like him who by his wise guidance has created a position for the Upper House in Bengal. It was at first thought by many that the Upper House was an unnecessary adjunct, but it is the late Mr. Mitra who has really proved that it is a necessary adjunct. His memory will always be cherished by this House. As has been suggested by Sir Bijoy Prasad Singh Roy and my friend Mr. Sanyal, we shall be failing in our duty if we, members of this House, do not take adequate steps to perpetuate his memory in Bengal in an appropriate manner. Before I close my speech, I pray to God that his soul may rest in eternal peace. I hope that at least this will be the consolation of the members of the bereaved family that it is not they alone who are in mourning but that the whole province of Bengal is sharing their loss and grief. With these few words, I whole-heartedly support the resolution on behalf of the Progressive League Party in this House.

Alhadj Khan Bahadur SHAIKH MUHAMMAD JAN: Sir, I rise to support the motion now before the House, and I whole-heartedly associate myself with all that has been said by the Hon'ble Leader of the House and other speakers who spoke before me. The premature death of the Hon'ble Mr. S. C. Mitra is a grievous loss not only to this Council of which he was the first President, but to the whole province of Bengal.

In the first non-co-operation movement initiated by Gandhiji in 1921 he left the Bar and joined the movement. Then, Sir, he gradually became associated with the activities of the late Deshbandhu Das of revered memory, after whose death Bengal lost the leadership of India. Mr. Mitra was a great parliamentarian. He was not only a keen lawyer, but he also took keen interest in the economic regeneration of the province. He was associated with many important industrial enterprises. He was a Director of the Pravati Textile Mill in Calcutta which was started at his initiative, as far as I know, in 1940. I feel that the members of this House should take proper steps to perpetuate his memory in a manner worthy of his manifold services to the people of this province. The rulings which he gave in this House will be a wise guidance not only to his successors but also to those holding that exalted office in the other provinces in India. With these words, I express my deep sorrow and sympathy with the members of the bereaved family.

Begum HAMIDA MOMIN: Mr. Deputy President, I rise to associate myself whole-heartedly with all that has been said by the Leader of the House and other members on the sad demise of our President, the Hon'ble Mr. Satyendra Chandra Mitra. Though we knew that he was in failing health and could not attend the meetings of the Council since almost the beginning of this session, yet none of us ever thought that the only day he attended this session would be the last day of his attendance. The leader of our party has also dwelt at length on the genuine characteristics of the late President and there is not much to add to what he said. Yet when paying tribute to him I cannot but say that his honesty of purpose and courage of conviction no one could help admiring, and I hope everyone will try to folow his example. With these words, I would like to offer my heartfelt condolences to the widow of the late President and his only daughter to whom the loss will be irreparable.

The Hon'ble Mr. M. SHAMSUDDIN AHMED: Mr. Deputy President, Sir, I thought that I would not open my lips on this occasion, because as a Party man and being on the Treasury Bench and specially when the Leader of the House has spoken from this side of the House, I should not speak. But, Sir, I felt that on this occasion when many members of this House have spoken I should speak one or two words.

I knew the late President as Satyen Babu under the leadership of Deshbandhu Chittaranjan Das. My acquaintance with him began in connection with affairs outside this Council Chamber. I read the news of his

demise when I was away at Kalimpong. Truly speaking, I was not prepared to hear the news. Satyen Babu was a staunch fighter for the freedom of his country and was known to his countrymen as one of the trusted lieutenants of Chittaranjan Das, like Subhas Chandra Bose, late B. N. Sasmal, and late Jatindra Mohan Sen Gupta. My humble self was on one occasion a fellow-guest with Satyen Babu of His Majesty in the Alipore Central Jail. We might have differed on many political issues from him, but whatever he did, he did with courage of conviction, a courage that is rare amongst many men. That was the greatest trait in his character. Many of us have seen how on the floor of this House he championed the cause of what he thought to be right. He was a staunch supporter of the introduction of the Upper House in Bengal. We might have differed from him on that question, but all the same we could not doubt his sincerity in support of this principle. Sir, we have lost him today. To me it is a personal loss. He had celebrated the marriage of his daughter only recently but he did not live long enough to see the newly-married couple prosper under his own eyes. May God give them courage and strength to bear the ordeal! May God rest his soul in peace!

Mr. KADER BAKSH: Mr. Deputy President, Sir, man is born to die. Today we mourn the loss of the man in Satyendra Chandra Mitra. In him we have lost not only a patriot but one who maintained the dignity of this Hon'ble House at the highest pitch. He was absolutely impartial to the different parties in this House. We mourn his loss because he held the scales of justice even. His treatment was not discriminating between an ordinary member and a member of the Cabinet. He equally dealt with everybody in the House and decided all questions from an impartial point of view. Sir, I for myself held him in high esteem because he was always jealous regarding the dignity of the House. He never showed extra leniency to anybody, whether he was a Premier or a Minister, or belonged to the European Group, the Muslim League, the Hindu Mahasabha or the Congress. Sir, this shows that he had courage of his conviction, a great sense of responsibility and was imbued with the right spirit to discharge his duties as President. We, therefore, mourn the loss of a worthy, impartial and a glorious President. He was a strong believer in the existence of the Upper House. He not only believed in the importance and necessity of the Upper House, but he thought, perhaps rightly thought, that the existence of the Upper House was a necessity to keep control over the impetuosity of the Lower House in dealing with the intricacies of many complicated legislative measures. With these few words, I fully associate myself with the resolution moved.

Mr. NUR AHMED: Mr. Deputy President, Sir, it is really very sad to think that our beloved President is no more amidst us to guide the deliberations of this House. It is due to him that this House has been able to create precedents for the conduct of its business. The late Mr. Mitra never budged an inch or shrank from giving expression to what he considered to

be right and proper, regardless of whether by doing so he was favouring this Party or that. He possessed a spirit of sturdy independence and his strong personality had greatly helped to frame the principles which will be followed by his successors. Sir, he never for a moment forgot the interest of the House. He never swerved from doing his duty, however unpleasant it might be. Sir, Bengal's public life is really poorer today by his death. He was a prominent and a strong personality in the public life of Bengal, nay in India. He suffered very much for his country's sake. I express my sympathy with the members of the bereaved family and whole-heartedly endorse all that has fallen from the Leader of the House and other speakers about this great personality. With these few words, I whole-heartedly support the resolution.

Rai Sahib JATINDRA MOHAN SEN: Mr. Deputy President, Sir, I beg to associate myself whole-heartedly with the resolution that has been moved so ably by the Leader of the House and which has been so eloquently and earnestly supported by the leaders of all sections of this House as well as by many individual members. I also rise to pay my respectful homage to the illustrious President who has been so suddenly snatched away from our midst. The loss which the Council has suffered is almost irreparable. His many virtues and qualities have been ably put before the House already, and very little is left for me to say. But I rise because most of the speakers who have spoken before me were either Cabinet Ministers on the Front Bench or leaders of various Parties and Groups. I rise as an humble member of this House. Sir, I had not the privilege of knowing the illustrious deceased for a long time. I only came to know him since his election as President of this Chamber. I was not then a political person or a personality, but was only an humble worker in my own district, and so I had not the privilege of knowing him at all before I came to this House. I had then to choose between him and the late Maharaja of Santosh—as to whom we should vote for. That was the first occasion when I came to know him personally. Since his election I found that he was an indefatigable fighter, just and conscientious man and a person who held the scales even on all occasions between the different parties in this House. And I also came to admire him all the more when I found that on many an occasion he sharply rebuked the Cabinet Ministers, erring and negligent Cabinet Ministers, failing in the discharge of their parliamentary duty. This extorted my admiration, and from that time I entertained a very high opinion of him. Sir, it has been rightly said that he was the custodian of the rights and privileges of this House. Truly speaking, his decisions were always just and right for they were always prompted by a high ideal, namely, the ideal of discharging conscientiously his duties as President. On such an occasion as this it is very difficult to put in words the many things that surge up in one's mind. But, Sir, as I have said, I have risen only to pay my homage to the illustrious deceased because I thought it my duty as an humble member of the House to say a few words on this occasion.

Mr. DEPUTY PRESIDENT (Khan Bahadur Abdul Hamid Chowdhury): Honourable members of the Council, it is with a sense of the profoundest grief and deepest regret that I rise to put the resolution which has been so feelingly moved by the Hon'ble Leader of the House and which has been so sympathetically supported by so many of you. I use no language of mere convention and no word of formality when I say so and I believe that the House is one with me in its sincerity to mourn the death of one who was so noble a gentleman and so great a parliamentarian. The account of his life and his career is too well known to need any repetition. For about six long years, I had the privilege of working with him and knowing him intimately and his premature death is not only a great loss for the country but also a deep personal calamity for me as well.

Born fifty-four years ago in a remote East Bengal village, he was almost the last of those patriots who secured the leadership for Bengal among all the provinces in India. With his passing away we are conscious of a void that can hardly be filled up for a long time to come.

He had suffered deep and long for his country. The best period of his life was spent in jail and in detention. Dauntless and strong-hearted, he was ever a fighter. But even as he fought on, he looked forward to the future and the vision came to him of a free and a great India and as he grew older, Satyendra Chandra worked according to the light he had seen.

Every democracy rests on a substratum of strong and fearless non-Party men with whom the democratic ideals are in safe and sound keeping and to whom the people can look for a lead in any crisis. Strong in his belief in the future of Indian democracy, it was to this end that the late Hon'ble President seemed to be shaping towards the close of his long and eventful career. The people of Bengal as well as the members of this House are distinctly poorer today by the loss of such a custodian of the inalienable rights of the people.

As I speak from the very Chair he so lately occupied, the sense of our loss comes home to me with fresh poignancy. It was in this House that he laid the crowning stone of his career. It was from this Chair that he impressed us by his tact, courtesy and his unrivalled knowledge of parliamentary practice. He leaves behind him the tradition of a great President which will be hard for his successors to live up to.

But we do not mourn merely the death of a great President of the Council. The feelings which spring to our heart are not merely those of cold homage to ability and intellectual greatness. They spring from a sincere emotion evoked by the character and life of the best, gentlest and most beloved of men. We pay our tribute to one who was very near and dear to us.

Yet men like Satyendra Chandra cannot die. Even as I speak, his personality pervades the House. He will always live in the hearts of his countrymen. But here, more than anywhere else will he live:—here, in this House, where he worked with such magnificent success. Speaking about his great achievements in this House my mind naturally goes back to the day

when he first assumed charge of the Presidential Chair. On that occasion in reply to the congratulations which were showered on him, he made the modest observation that the time for offering him real felicitation would come when he would vacate this Chair. Alas, the cruel hand of death has removed him from our midst and from the Chair he so worthily adorned, before its time. We all know how amply he justified the showers of greetings of the first day by conscientious and efficient discharge of the onerous duties of his high office. I hope and pray that the tribute paid by his mourning colleagues and countrymen may reach him in heaven where his soul rests in peace.

With these words, I will now put the resolution. The question before the House is: that this Council do place on record an expression of its deep sense of sorrow at the sad demise of the Hon'ble Mr. Satyendra Chandra Mitra, the first elected President of this Council, and of its heartfelt sympathy with the members of the bereaved family in their grievous loss.

I would request the honourable members to signify their assent by rising in their places as a mark of respect to the memory of our beloved President.

(Honourable members rose.)

Thank you, gentlemen.

It will be my duty to see that the message of condolences is conveyed to the members of the bereaved family in due course.

Mr. HUMAYUN KABIR: Mr. Deputy President, Sir, after the resolution which we have passed today, would it not be proper to hold up further business of this House as a mark of honour to the memory of the Hon'ble President?

Mr. DEPUTY PRESIDENT: I was also thinking whether I should adjourn the House without transacting any further business today; but the difficulty is that we have another obituary reference to make. So, in this matter I should like to be guided by the opinion of the leaders of the different parties. If they decide that the other obituary reference should be taken up tomorrow, I have no objection.

Khan Bahadur ATAUR RAHMAN: Sir, that obituary reference might be taken up tomorrow.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: As a matter of fact, Sir, the time left for discussion of the other matter is short. If we take up the other obituary reference today, we will be in a hurry and in that case proper honour, I am afraid, may not be shown to the other honourable member of this Council who is dead.

Rai Sahib JATINDRA MOHAN SEN: Sir, my reason for requesting you to adjourn the House now is that if other matters are taken up today,

the importance, weight and the solemnity with which the first resolution has been moved would be lost. So, I join with my friend Mr. Kabir that the business of this House do adjourn today.

Mr. DEPUTY PRESIDENT: As a mark of respect to the memory of our beloved President, I propose to adjourn the House without transacting any further business. The House stands adjourned till 2-15 p.m. tomorrow when the other obituary reference will be taken up.

Adjournment.

The Council then adjourned till 2-15 p.m. on Wednesday, the 4th November, 1942.

Members Absent.

The following members were absent from the meeting held on the 3rd November, 1942:—

(1) Mr. Altaf Ali.
(2) Rai Bahadur K. C. Banerjee.
(3) Mr. S. C. Chakraverti.
(4) Mr. Humayun Reza Chowdhury.
(5) Mr. B. C. Datta.
(6) Mr. N. C. Datta.
(7) Mrs. K. D'Rozario.
(8) Mr. K. K. Dutta.
(9) Mr. K. L. Goswami.
(10) Mr. Mohamed Hossain.
(11) Khan Bahadur Mohd. Asaf Khan.
(12) Mr. J. McFarlane.
(13) Mr. Naresh Nath Mookerjee.
(14) Dr. R. K. Mookerjee.
(15) Khan Sahib Abul Quasem.
(16) Khan Bahadur Kazi Abdur Rashid.
(17) Dr. K. S. Ray.

BGP-42/3-8231A-750